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Why Won't the White House Let Us Save Our Children?

Yes, Virginia, We Abolished Parole
Governor George Allen

Hay Hay, Hoe Hoe
My Farm Subsidies Have Got To Go

Big Bird Goes Cold Turkey
Laurence Jarvik

"Honey, I Shrunk the Tax Base!"
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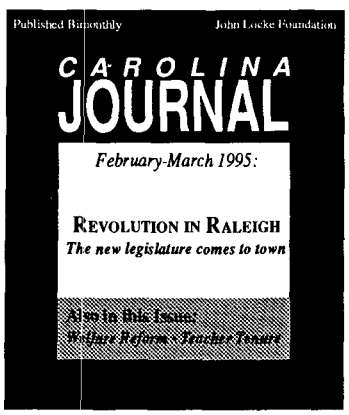

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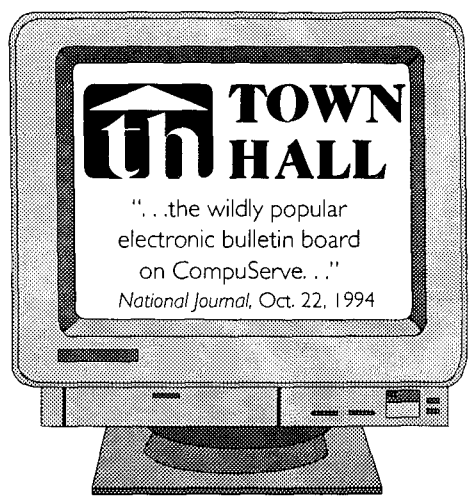

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The Courage of Our Convictions

The Abolition of Parole Will Save Lives and Money

George Allen

On Father's Day 1986, Richmond Police Detective George Taylor stopped Wayne DeLong for a routine traffic violation. DeLong, recently released from prison after serving time for murder, shot and killed the policeman.

Leo Webb was a divinity student at Richmond's Virginia Union University who liked helping people. One of those he helped was a man named James Steele, on parole for a malicious wounding. One day in 1991, Steele entered the bakery where Webb worked part time, shot him to death, took his money, and went out partying.

Tragic as such stories are, what makes these two particularly disheartening is that both could have been easily prevented. Both killers, jailed earlier for violent crimes, spent only a fraction of their sentences in prison. We are now paying the dividends of a liberal justice system that refuses to take punishment seriously: Virginia has witnessed a 28 percent increase in criminal violence over the last five years. Three out of every four violent crimes—murder, armed robbery, rape, assault—are now committed by repeat offenders (see page 5).

This is why my administration pushed through legislation, which took effect on January 1, 1995 that will impose penalties for rape, murder, and armed robbery more than twice the national average for those crimes. We have abolished parole, established the principle of truth-in-sentencing, and increased as much as fivefold the amount of time that violent offenders will actually spend in jail. Experience vindicates what commonsense has always told us: The only foolproof crime-prevention technique is incarceration.

THE ONLY FOOLPROOF CRIME-PREVENTION TECHNIQUE IS INCARCERATION.

Our new system is attempting to unravel 30 years of paper-tiger laws based on the questionable philosophy that people can change, criminals can be rehabilitated, and every violent criminal—even a murderer—deserves a second chance. The new law in Virginia will prevent thousands of crimes, save lives, save money, and restore trust in the criminal justice system. Despite this, we now face entrenched opposition from liberals in the General Assembly, who hope to thwart reform by withholding funds to build the minimal number of prison facilities needed to house Virginia's most violent inmates.

A few weeks after taking office in January 1994, I created the Commission on Parole Abolition and Sentencing Reform. It was a bipartisan commission of prosecutors, judges, crime victims, law-enforcement officers, business leaders, and legal scholars. William Barr, a former attorney general of the United States, and Richard Cullen, a former U.S. Attorney for the Eastern District of Virginia, co-chaired the commission. They had a daunting task.

I called for a special session of the General Assembly in September 1994 to focus the public's and the legislature's attention on this issue. I gave the commission six months to demonstrate the need for change, develop a detailed plan, and explain its costs and implementation.

We were quickly able to show why a complete overhaul was necessary. Convicted felons were serving about one-third of their sentences on average, and many served only one-sixth. Violent criminals were no exception. First-degree murderers were given average sentences of 35 years, but spent an average of only 10 years behind bars. Rapists were being sentenced to nine years and serving four. Armed robbers received sentences averaging 14 years and served only about four (see page 6).

Amazingly, a prior conviction for a violent crime did not affect this phenomenon. Even murderers, rapists, and armed robbers who had already served time for similar offenses were receiving the same sentences and serving the same amount of time as first offenders.

Statewide, the violent crime rate had risen 28 percent in five years, even though the crime-prone age bracket (15 to 24 years) was shrinking. Criminologists widely regard trends in the size of this demographic group as the best predictor of criminal activity. Unfortunately for Virginians, the crime-prone-age population is expected

George Allen *is the governor of Virginia.*

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to rise sharply in the state beginning in 1996—all the more reason to press forward with reform. The peak age for murder and armed robbery has been dropping steadily; by 1993, it stood at 18 years for both crimes. More than three-quarters of all violent criminals in the system in 1993 had prior convictions.

The Plan

Only a multi-pronged approach can begin to turn these numbers around. Virginia's new law means, first of all, eliminating discretionary parole, in which a parole board can release an offender after he has served only part of his sentence. In Virginia, this policy clearly was being abused: offenders received 30 days of good time for every 30 days they served—effectively cutting their sentences in half as soon as they came in the door.

WE ARE NOW PAYING THE DIVIDENDS OF A LIBERAL JUSTICE SYSTEM THAT REFUSES TO TAKE PUNISHMENT SERIOUSLY.

But this is not all. We need to eliminate "good time" as well. In order to encourage good behavior among inmates and allow correctional officers to maintain order, the commission proposed a system of earned-sentence credits. This system would allow inmates to earn a maximum of 54 days per year—a dramatic reduction from the average of 300 days they had been given in the past.

Long before our bill became law, we held town meetings across the state to solicit advice from citizens, and discussed the plan's details with prosecutors, victims-rights groups, corrections experts, and criminologists. The need for more prison space became a primary concern. Even before I took office, Virginia was expected to double its prison population by the year 2005. The state was facing a shortfall of 7,100 prison beds by 1999. At the same time, opponents of the plan were already carping about too little spending on crime prevention and education and too much on building prisons.

Obviously, judges need some mechanism to guide their sentencing decisions. A system with no parole and no "good time" could not afford 70-year sentences for drug dealers or 150-year sentences for armed robbers. But how much do we increase the time served for violent offenders? Our commission found an answer by evaluating the relationship of recidivism to time served and age of release. The data showed that the longer an offender remained behind bars, the less likely he is to commit another crime after finishing his sentence. Similarly, the older the offender upon release, the less his propensity to commit more crime. In fact, after 37 years of age, the likelihood of violent crime drops dramatically.

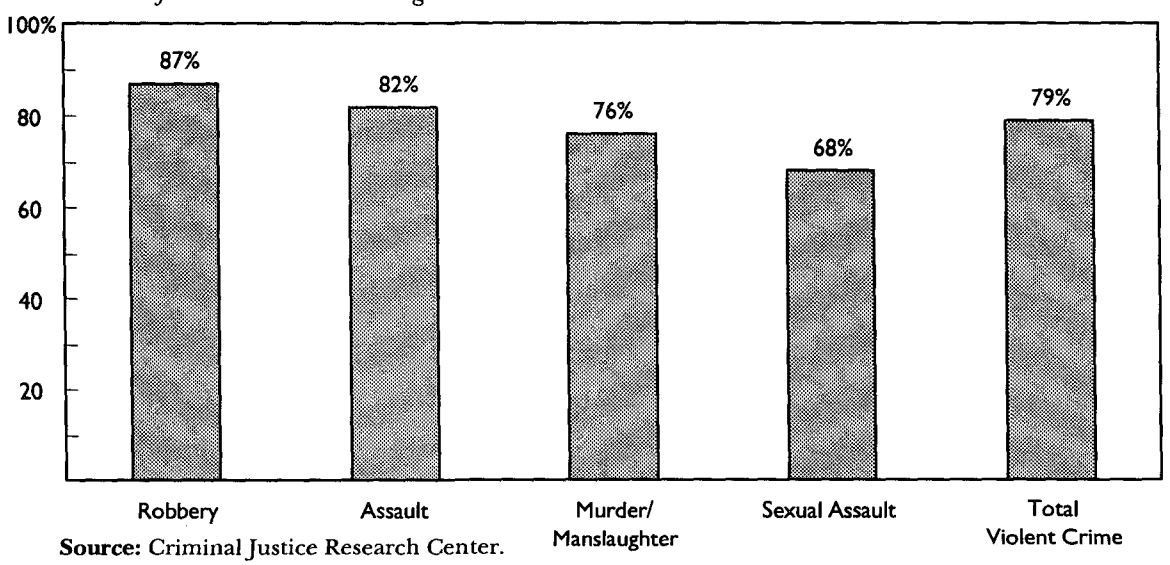
Although preventing criminals from committing further acts of violence was the primary goal, the increases had to reflect the notion of retribution as well. We wanted Virginia to send a message to violent criminals: We will not tolerate violence, and if you commit a violent crime, you will stay in prison until you're too old to commit another one.

Virginia increased prison time for violent criminals as follows:

- 100 percent increase for first-time violent offenders.
- 125 percent for first-time murderers, rapists, and armed robbers.
- 300 percent for those with previous convictions for assault, burglary, or malicious wounding.

Repeat Offenders

Percent of Convicted Felons in Virginia with Prior Convictions



Source: Criminal Justice Research Center.

Chart by Julie S. Davis

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• 500 percent for those with previous convictions for murder, rape, or armed robbery.

To target the young violent offender, we counted comparable juvenile offenses as felony convictions when determining a sentence. For example, if John Smith is found guilty in a juvenile court of armed robbery at age 14, and was convicted of another armed robbery at age 19, the sentencing guidelines call for a 500 percent increase in the time he normally would have served under the old system.

By abolishing a bankrupt parole system, and by drastically reforming the "good time" credit provisions, Virginia courtrooms are redefining what the truth-in-sentencing debate is really about. Under our system, every inmate convicted of a violent crime will serve a minimum of 85 percent of his or her sentence. Nationwide, criminals on average serve well below 50 percent of their sentences. There is simply no surer way for the state to protect its citizens from society's most dangerous members.

Saving Lives and Money

Had the law been in effect nine years ago, it would have saved the life of Detective Taylor. Had it been in effect four years ago, Leo Webb would be alive today.

The most conservative estimates show that more than 4,300 felony crimes would have been prevented between 1986 and 1993 if the current system had been in place. That number is based on actual convictions—real cases, not projections.

Over the next 10 years, the new law will prevent at least 119,000 felonies, including 26,000 violent crimes (see page 7). Because of those averted violent crimes, an estimated 475 lives will be saved, 3,700 women will be spared from rape, and more than 11,300 aggravated assaults will not be committed. As a result, citizens will save more than $2.7 billion in direct costs.

Back in September, when it became clear that the legislation would pass with overwhelming support, some vocal opponents claimed that abolishing parole was a declaration of war on young black males. They demanded that the Commonwealth spend more money on prevention programs, and charged that, by focusing on punishment, we were merely catering to "white fear." Their arguments fell on deaf ears.

IN THE NEXT 10 YEARS, THE LAW WILL PREVENT AT LEAST 26,000 VIOLENT CRIMES, SAVE AN ESTIMATED 475 LIVES, AND SPARE 3,700 WOMEN FROM RAPE.

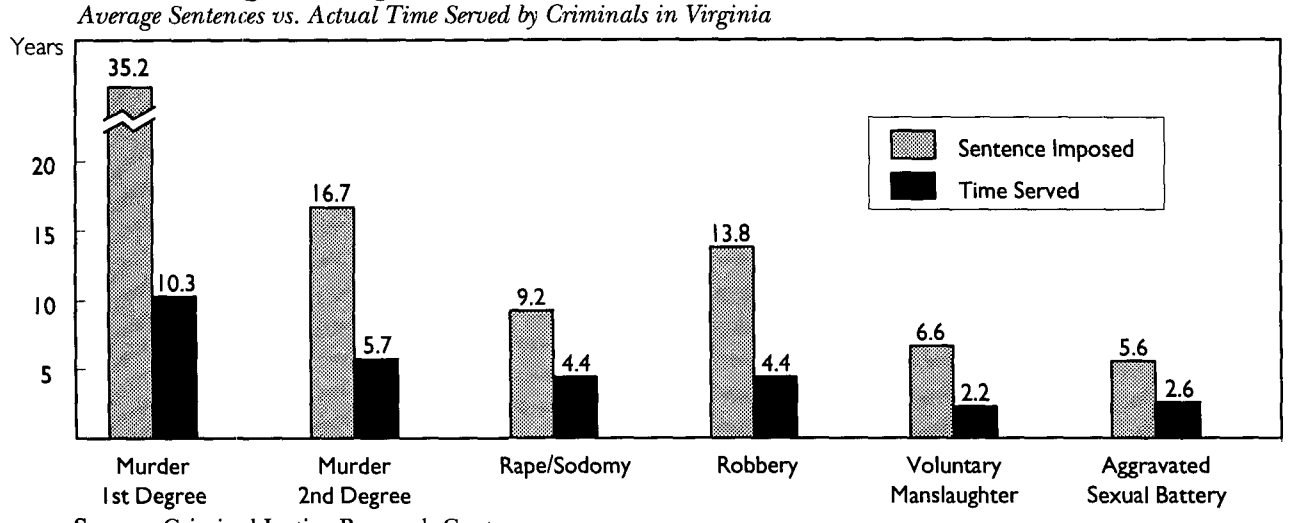
The crime prevented as a result of the new law will benefit the African-American community—one-fifth of Virginia's population—more than any other group. Of the preventable murders that occurred between 1986 and 1993, about 65 percent involved black victims. For assaults during that same period, about 60 percent of the victims were black. Taylor and Webb were both African Americans.

Of all the crimes committed by recidivists during that same period, 60 percent would have been prevented if the current law had been in place. There is no other prevention program that can show even a fraction of this success. That is not to say that other prevention programs are not valid or important. However, it is clear that when it comes to violent offenders, incarceration is the most just and the most efficient.

Virginia has been spending an average of $658 million

Revolving-Door Justice

Average Sentences vs. Actual Time Served by Criminals in Virginia



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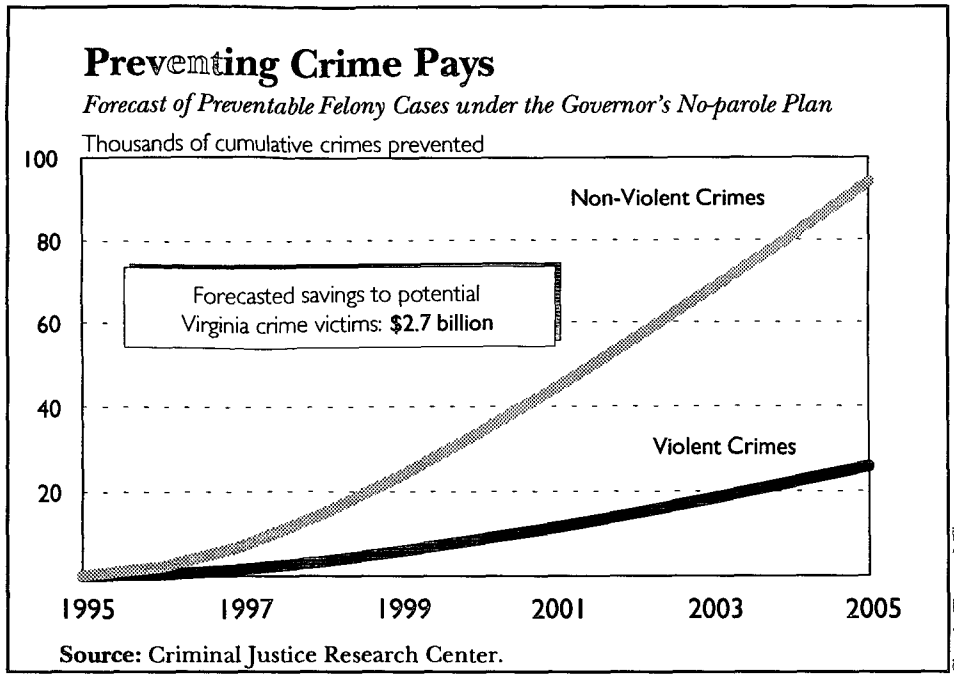
in taxpayers' money each year on handling recidivists. This is the cost of new investigations, new arrests, and new trials. The total cost of the prison construction needs for the next 10 years is about $750 million. The new law will force us to build more prisons—but not many more. Virginia would have doubled its prison population in the next 10 years anyway.

The difference is that under the old system, the ratio of violent criminals among the prison population to non-violent has been 50:50. Marijuana dealers, embezzlers, and petty thieves have been serving time in the same $40,000-per-year hard cells as murderers, rapists, and armed robbers. Under the new guidelines, the inmate ratio will be 70 percent violent, 30 percent non-violent. This is obviously a more cost-effective use of medium- and maximum-security prison space.



Try telling that, however, to the liberals in the General Assembly. I asked lawmakers in February for $402.6 million as a first installment in revamping our prison system. They voted to provide only $104.4 million. They are shortchanging prison construction, making it more likely that dangerous criminals will be released early—and be back in our neighborhoods. Increasing prison terms without increasing prison capacity is precisely the mistake that too many other states have already made.

Part of the problem with the current system of incarceration is its near inability to distinguish between dangerous criminals and the more routine, petty offenders. Under our plan, we are building low-cost work centers to house first-time and non-violent offenders. These work centers operate at about half the cost per inmate as a standard prison, and they ensure that the inmates get work opportunities while incarcerated. The average length of stay at a work center will be about 10 to 18 months. We can build these facilities quickly, freeing up bed space in the prisons for violent criminals.

The abolition of parole and establishment of truth-in-sentencing rules was the centerpiece of my campaign for governor in 1993. During that campaign, critics claimed my approach was too drastic and too costly. Pundits and politicians still doubt that Virginia can overhaul its entire criminal-justice system without breaking the bank. Those naysayers failed to hear the public's demand for change. The people of Virginia—particularly crime victims and their families—are tired of seeing criminals walk free after serving only a fraction of their sentences. Businessmen can't afford to watch deals collapse because potential clients are concerned about crime. Prosecutors and police are frustrated that their hard work often amounts to abbreviated prison stints for criminals.

In order to overturn the status quo approach to crime reduction, we listened to all those people and presented extensive research to show that what we had been doing was not working. Public safety is the primary responsibility of government. Without it, nothing else can succeed. Education, economic development, and health care all suffer when people feel threatened.

Virginians came together to formulate and implement this reform. We looked at what North Carolina, Texas, Florida, and the federal government had done in the area of sentencing reform. We borrowed some of the best aspects of those systems and avoided some of the mistakes they made. In the end, we did it the Virginia way.

The principle that guided this effort, and should guide policymakers in all issues, is honesty. Easy-release rules prevent judges and juries from preempting the community's judgment about the proper punishment for illegal conduct. Under the new law, judges will not have to play guessing games when imposing sentences. Police officers will not have to see the same criminals out on the streets only a year after their last arrest. Criminals will know that they cannot beat the system. Crime victims and their families will finally see justice done. Virginia's citizens can now trust that their government is working to make this Commonwealth a safe place to live, to work, and to raise families.

THE CRIME PREVENTED WILL BENEFIT THE AFRICAN-AMERICAN COMMUNITY MORE THAN ANY OTHER GROUP.

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A Farmer's Scarlet Letter

Four Generations of Middle-Class Welfare Is Enough

Blake Hurst

Crop subsidies for the 400-acre farm that we rent here in northwest Missouri average $10,000 a year, and I've gotten in the habit of spending it all. But Pat Roberts, congressman from Dodge City, Kansas, and the new chairman of the House Agriculture Committee, assures me that I won't have to wear bib overalls with a scarlet "S" for "subsidy" on the front. Well, that's a relief.

Roberts's sense of humor is as dry as the West Kansas wind. And this year he'll need it, because 1995 will see the reauthorization of the Farm Bill, the huge piece of legislation that will govern federal agricultural programs for the next five years. As a defender of the existing subsidies, Roberts may find himself as lonely as a Dodge City vegetarian.

Several rounds of budget-cutting have pared farm programs by half, or $14 billion annually, since 1989. Roberts intends to protect what is left, and that may take more than a good sense of humor. He will have few allies. The Clinton administration has no interest in agriculture, except for a desire to turn the Midwest into a gigantic wetland, and to do whatever the poultry industry wants. Bob Dole, normally a roadblock in the way of farm reform, will be busy running the Senate and his presidential campaign. The new leadership of the House of Representatives includes Dick Armey, who looks at farm subsidies the way a dog looks at a bone. Richard Lugar, the chairman of the Senate Agriculture Committee, has opened the debate with a list of 53 questions about farm policy. His first one: "Should we have a farm program at all?" (Roberts likens Lugar to Lizzie Borden, taking 53 whacks at farmers.) Farm programs have been on the defensive for years, but Lugar is the first leading farm-state legislator to question their very existence. Roberts is circling the wagons to do what agriculture-committee chairmen have always done—protect the subsidies—but this time he may lose.

Although I have long been a critic of farm subsidies in principle, Lugar's questions and the programs' unpopularity have suddenly turned a philosophical question into a frighteningly personal one. In addition to his 53 questions, the 54th and most important one is: How would I replace the $10,000 in subsidies that I receive each year?

Well, for one thing, I'd grow more beans. My corn crop is directly subsidized, but my soybean crop isn't. So guess which crop I grow more of. Without corn subsidies, growing soybeans would be more profitable for us here in Westboro, and in many years beans are more profitable even after we receive our green government checks. But we consistently plant more than half our acres in corn to protect our corn base. Base is the number of acres planted to a subsidized crop, and is used to determine the size of government payments.

If we plant more soybeans to take advantage of their greater profitability, we lose some eligibility for future corn subsidies. Fathers pass many important lessons along to their sons. Here in the Corn Belt, a 60-year-old lesson is: Protect your base!

I CAN SURVIVE WITHOUT SUBSIDIES. IN SOME YEARS, I MIGHT EVEN BE BETTER OFF.

We could offset some of these lost subsidies by reducing our costs of production. Soybeans are cheaper to plant, and their yield is less dependent on timely rains. We could save on the expensive insecticides we have to apply to the 20 percent of our land that is in continuous corn.

We could also save on commercial fertilizer. Soybeans "fix," or capture, nitrogen from the air and leave it in the soil. Some of that nitrogen is available as nutrient for the following year's crop. By increasing our soybean acreage, we could do with less fertilizer. (The two crops compete for the same acres in this region; if soybean prices dropped because lots of other farmers made the same decision, then corn would become more profitable.)

Another thing we'd do without farm subsidies is grow more. In order to qualify for government payments, we must leave part of our farm idle. This spring, for instance, we will plant on only 380 of our 400 acres. We could plant

Blake Hurst *is a farmer and greenhouse grower in Westboro, Missouri.*

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Illustration by Zoya Eydelman

those other 20 acres without any additional investment in tractors, or combines, or rent. Without the acreage limitations imposed by farm programs, we would spread our fixed costs over more acres.

And perhaps most important of all, there is gumbo. Gumbo is the soil that makes up much of our river-bottom ground. The spring after we plant corn on gumbo, the soil has the consistency of well-cured concrete. There are only two solutions to this problem: fall plowing, which is terribly expensive, or rotation to soybeans.

Without the program, we could increase our average yields through better crop rotation. Corn after soybeans consistently yields 10 to 20 percent more than second-year corn. So part of the lost subsidies would be replaced by higher yields.

The largest single expense for any farmer is the cost of his land. And this is where the farm program has its biggest impact. The first thing farmers want to know when a neighbor's farm comes up for sale is the size of its crop base. Farms with a large corn base are eligible for higher subsidies, and so are worth more than those with a smaller one—another reason to protect the base. When farm subsidies diminish, the price of land falls. Farmers compete with one another for land. Farm policy has the effect of subsidizing established farmers who own much of their land, and making it more difficult for younger farmers to buy or rent land to establish themselves. Farm programs are often touted as an attempt to save the family farm. But when the capitalized value of subsidies raises the costs to families who want to farm, the programs serve as a barrier to entry. Not surprisingly, the average age of farmers is well over 50. Cuts in farm subsidies would allow easier entry into farming, and less expensive transfer of farms between generations.

Without subsidies, we would be freed of a number of bureaucratic burdens. This spring, we will have to trek to the local Consolidated Farm Services Administration office to receive approval for our crop plan. After all of our crops are planted, we must return to certify that we did what we said we would. Government planes fly over our farm to take photographs and make sure that our corn plantings are within the limits. (Since we farmers don't have antiaircraft batteries, the USDA needn't resort to spy satellites.) We also have to file conservation plans and plan our crop rotations years in advance.

How much of the $10,000 that I've become so attached to would be replaced if I could farm without all these constraints? I don't know. If full-scale production led to huge surpluses, and crop prices fell to extremely low levels and stayed there, then I would suffer a great deal. But without the guarantee of protection from Uncle Sam, surpluses might not be as much of a problem as in the past. Loan rates (the floor under the market price) were set above the cost of production in the 1980 farm bill, and huge surpluses were the result.

But sometimes we learn from our mistakes: Since 1990, loan rates have been below market-clearing levels. Record harvests in 1992 and 1994 have not produced a huge carry-over of grain. In fact, prices are slightly higher now than after the 1992 harvest, even though corn production in 1994 was considerably higher. And in years of short supply, my profits might well rise without farm programs, because the government sells its grain stocks to set a ceiling on prices.

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Senator Lugar wants to know why some crops are subsidized and others are not. He also wants to know whether unsubsidized crops are consistently less profitable than subsidized ones. As I've pointed out, we can make as much profit on soybeans, which are not directly subsidized, as on corn. The greenhouses where we grow unsubsidized geraniums are the most profitable enterprise on my farm, and I don't have to wait for a government check. Cattle and hogs have no subsidy programs, yet hogs are consistently among the most profitable of agricultural commodities. Florida oranges receive no government support, while California oranges are grown under government rules that constrain supply and raise prices. Are Florida growers selling out and heading for California? I hardly think so.

Any government subsidy increases costs in the subsidized industry, and any government-provided profits tend to be bid into the factors of production. There is little evidence that subsidies boost profits in the long run, and the fact that some crops are subsidized and others are not is an accident of history and politics.

In the last two years, farmers witnessed two events that will make more difference in the long run than any farm bill could: the passage of GATT and of NAFTA. These trade agreements will raise agricultural exports and prices by large amounts. GATT will require the European Union to cut subsidies by 36 percent. Export subsidies for more than 8 million tonnes of European exports will have to be cut. American farmers are the low-cost producers of most of the commodities that Europe subsidizes, and we stand to gain most of that business.

GATT is expected to raise incomes worldwide by as much as $5 trillion in the next 10 years. Many of those dollars will be spent to improve diets, as consumers worldwide boost their consumption of meat. Since the passage of NAFTA, agricultural exports to Mexico have risen by 22 percent, or $670 million, in the first 10 months of 1994.

New Farmers' Market

That giant sucking sound you hear emanates mainly from Midwestern grain bins, busily shipping corn and soybeans south of the border. When Mexico recovers from its peso crisis, NAFTA is expected to boost U.S. agricultural exports annually by $2.6 billion.

As trade barriers around the world fall, the number of people who can afford to buy what I produce is increasing. China has a middle class 100 million strong. With 22 percent of the world's population, and an economy growing at 10 percent per year, China's potential as a market for food is mindboggling. As NAFTA expands to include Central and South America, more new markets will open. When the decline in trade barriers is combined with growth in worldwide incomes, U.S. farmers may well be entering a golden age for agriculture. And here on my farm in Westboro, I may find that being part of a freer world market pays better than farming for Uncle Sam.

I've thought a lot about Senator Lugar's questions. I've tried to figure out how it would affect me financially if the answers to those questions persuade Congress to end or drastically reduce farm programs. And I think the answer is clear. I can survive without subsidies. In some years, I might even be better off. And there is one more question that Lugar asked that goes to the crux of the matter: "What is the rationale for transferring public funds from taxpayers, most of whom have moderate incomes, to all farmers, including those whose incomes.. are substantially above...average?" Well, I don't know how you justify that.

BEING PART OF A FREER WORLD MARKET PAYS BETTER THAN FARMING FOR UNCLE SAM.

Recently, my brother took his 15-year-old son along with him to the local USDA office. One of the employees behind the counter pointed out that my nephew was the fourth generation of our family that she had worked with. I'm a little uncomfortable with being on the dole for that length of time, and I'm particularly uncomfortable knowing that my income and assets would qualify me as solidly middle class. The lady behind the counter retired shortly afterwards. I don't imagine it was the thought of another generation of Hursts that drove her into retirement, but I do believe that maybe four generations of middle-class welfare is enough.

As Congress scrutinizes farm programs, it needs to keep one thing in mind. Pat Roberts tells the story of one of his constituents, who said, "I don't care what you do to me, as long as you let me know."

Farmers have planned their businesses with the expectation of continued farm payments. Any reform of agricultural policy must keep those expectations in mind. We have been adjusting to lower subsidies for five years, and have made those adjustments fairly easily. Perhaps we should allow another five years to wind down this 60-year-old experiment in central planning, retire our overalls with the red "S," and let farmers do what we do best: produce the cheapest and most plentiful food supply the world has ever known.

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Clinton's Cocaine Babies

Why Won't the Administration Let Us Save Our Children?

Charles Molony Condon

Nothing could be more heart-breaking than the sight of a baby born with an addiction to cocaine. There is very little doctors and nurses can do to ease the pain of these innocent newborns, whose mothers' use of hard, illegal drugs during pregnancy constitutes nothing less than blatant child abuse.

Walk into the neonatal unit of any hospital in America, and you will see crack-cocaine babies. Some cry and shake uncontrollably. They refuse to take food. Many die.

And those who survive are far more likely than other children to be sentenced to lives of behavioral problems, birth defects, and learning disabilities.

Nationwide, one in 10 children born has been exposed to cocaine in the womb. This condition affects 350,000 babies a year. Our society can address this problem effectively. We can significantly reduce this type of child abuse. Unfotunately, the policy of the Clinton administration is to protect, not the children, but the "rights" of the mothers to escape the consequences of their actions.

Several years ago, when I was serving as a circuit solicitor in South Carolina, I became aware of the growing problem of crack-cocaine babies at Charleston's Medical Unversity of South Carolina (MUSC). My office worked with the hospital to aggressively confront pregnant women with the consequences of their drug use. Over a five-year period, we presented all pregnant mothers who tested positive for cocaine use with a choice: Either seek drug treatment or face arrest and jail time.

This became one of the first "crack-baby" prevention programs in the nation. And the program worked. Scores of women agreed to enter rehabilitation and stayed off drugs for the remainder of their pregnancies. Before-and-after statistics present a clear picture. Before the sanctions took effect, 24 pregnant mothers a month tested positive for cocaine. Virtually none of them was willing to seek help voluntarily. Then, beginning in 1989, when we launched a tough amnesty program, the number testing positive for cocaine dropped to five or six a month. Prenatal visits as well as live births at the hospital stayed the same. Other states were looking at our success as a model.

Tragically, the cocaine-baby program, which was clearly saving lives, was effectively shut down by the Clinton administration. Under the president's direction, a swarm of federal officials came to Charleston making unfounded allegations of discrimination and accusing the hospital of violating the "privacy rights" of the addicted mothers. The Clinton administration warned us that a private civil-rights suit was pending, and threatened to cut off $54 million in federal assistance, or about 60 percent of the facility's annual budget. Last year, the hospital finally relented, ending the successful intervention program.

OTHER STATES WERE LOOKING AT OUR COCAINE-BABY PROGRAM AS A MODEL. IT WAS EFFECTIVELY SHUT DOWN BY THE CLINTON ADMINISTRATION.

Now, once again, the babies cry out in agony. And once again, hospital staff with no legal recourse must watch pregnant women knowingly cause neurological damage to their unborn children. MUSC nurse Shirley Brown expressed the frustration eloquently: "You just have to sit around with your hands tied and watch them destroy a baby." Indeed she is right. If this is what President Clinton has in mind when he calls for a return to individual and community responsibility, then this administration faces a profound moral crisis.

Administration officials and representatives of the American Civil Liberties Union (ACLU) called the cocaine-baby program punitive, discriminatory, and invasive. In fact, it was none of the above.

By the late 1980s, nurse Brown and her staff noticed an increasing number of pregnant women coming to the hospital—not for prenatal care, but because of hemor-

Charles Molony Condon *is the attorney general of South Carolina.*

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rhaging or other acute problems related to their pregnancies. In the course of treatment, many of these women tested positive for drug use, usually cocaine. Thus the program grew out of a deep concern among the hospital staff for the welfare of both mother and child.

At first, the hospital tried to educate the women about the damage they were causing to themselves and to their unborn babies. Sadly, hospital workers could not convince many of the expectant drug-addicted women to enter a drug-treatment program. Most wouldn't even return for any type of prenatal care at all. The women—mostly poor and uneducated—received free counseling. They were offered free drug treatment and free prenatal care, but few participated in the program voluntarily.

At the same time, the delivery and treatment of crack babies was putting a tremendous strain on hospital resources, as well as on the moral sensibilities of hospital personnel. Normal neonatal delivery costs can be as low as $500 per baby, but the costs of cocaine babies and the intense postnatal care they require have increased tremendously. The hospital has seen bills reach $750,000. Most are born to welfare mothers, so Medicaid and the hospital were picking up the bill. According to the General Accounting Office, a single cocaine baby can run up a lifetime tab of $1 million in medical and educational costs.

At the time we launched the cocaine baby program in Charleston, I was circuit solicitor. Last year, I was elected attorney general for South Carolina, and now view the problem from a statewide perspective. Hospitals across our state see drug-damaged babies with growing frequency. In every major city in the country, hospitals have units devoted to crack mothers and crack babies. But no one dares to forcefully address the causes of the problem. We are merely watching it happen and paying an increasingly high price in dollars and human suffering. We saw an opportunity to make a difference.

Local Support

During the operation of the cocaine-baby program in Charleston, everyone concerned was brought to the table—social workers, people from Charleston County Substance Abuse, drug-rehabilitation specialists, law-enforcement officials, hospital officials, and my office, which was willing to prosecute when necessary. We all agreed on one principle: We needed a program that used not only a carrot, but a real and very firm stick.

Those who argued most forcefully for the cocaine-baby program were people who dealt with drug addiction every day: the rehabilitation specialists. They told us that "unless you have sanctions in place, unless you understand the basic irresponsibility of these drug-addicted women, it won't work."

Working closely with Chief Reuben Greenberg of the Charleston Police Department, we set up an amnesty program with sanctions for those who don't abide by the rules. Whenever a prenatal patient tested positive for drugs, hospital staff first counseled the mother about what she was doing to her unborn baby. They presented her with a letter from the solicitor's office explaining that she faced arrest and prosecution (crack cocaine use is a felony in South Carolina) if she refused treatment. The solicitor's office then promised to drop all charges if the woman successfully completed a drug-treatment program. We saw this as a child-abuse prevention program with a goal of producing a healthy child.

We had solid legal grounds to act in this manner, especially in the third trimester of the pregnancy. During the final trimester, the fetus is regarded as viable, that is, capable of sustaining life on its own, and is therefore granted significant protections under both federal and state law. Indeed, the viable fetus is a person under the law. In this legal context, we offered pregnant women immunity from prosecution, free medical services, and free access

THE CLINTON ADMINISTRATION PROTECTS, NOT THE CHILDREN, BUT THE "RIGHTS" OF THE MOTHERS TO ESCAPE THE CONSEQUENCES OF THEIR NEGLECT.

to a program of drug rehabilitation. All we asked of them in return was to enter the program in good faith and to stop abusing their unborn children with illegal drugs.

Politically correct resolutions by the American Medical Association and the American Pediatrics Association denounced the policy as punitive and unwise. The National Institutes of Health also sent down some officials, who made the incredible claim that the hospital was conducting coercive experiments on pregnant women. Then the Clinton administration, ideologically driven by the absurd notion that a woman's privacy rights overrule a mother's most basic responsibility to her own child, would not allow us to protect the lives of the babies *or* their self-destructive mothers. Donna Shalala, Secretary of Health and Human Services, sent an investigative team from the department's ethics division. One HHS official, without offering any evidence, claimed the program had "a chilling effect on minority pregnant women seeking prenatal health care."

Of course, the cocaine-baby program was not punitive. The program was not designed to put people in jail. It was a humanitarian effort to save lives through tough, decisive action under urgent circumstances. In fact, the women involved in the program almost invariably avoided jail.

Most of the pregnant women who tested positive for crack cocaine (after they understood their options) agreed to enter the drug program. The small number who refused the program were indeed arrested, but nearly all of their cases were dismissed because the women

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quickly agreed to enter the program once they saw we were serious. Only two continued to refuse help, and they were ultimately placed on probation. The cocaine-baby program was not a punitive "lock-up" program, but an amnesty program. And it was working.

Also, there is absolutely no evidence that it scared anyone away from prenatal care. Remember, very few of these women came to the hospital in the first place to take advantage of prenatal services. They came because of urgent medical problems related either to their pregnancy or to their addiction.

Opponents of our cocaine-baby program continually failed to understand that prosecutorial action, like a thermostat, can be constantly adjusted. Charges can be dropped at any time. We can add conditions.

The system has a great deal of flexibility that can be used to motivate irresponsible people to take responsible action. Many public defenders (though they are not likely to admit it publicly) thought the cocaine-baby program was a great idea.

The Specter of Discrimination

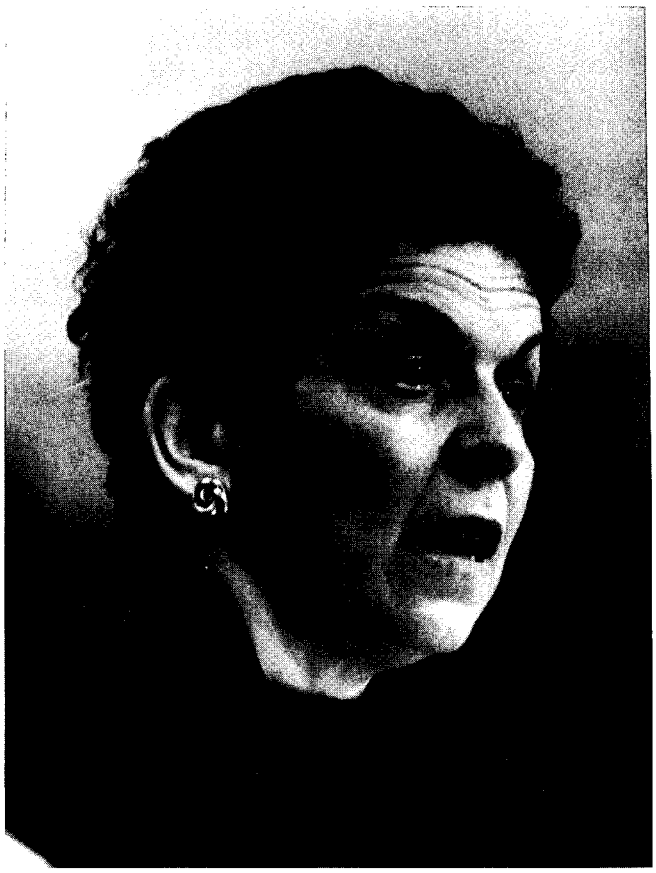
Cocaine addicts need a strong motive to mend their ways. And most drug and law-enforcement officials also agree. A federally funded research survey showed that about 30 percent of those who enter public drug-treatment programs do so only because of direct or indirect legal pressure. The Office of National Drug Control Policy noted in a 1992 report that "the criminal justice system can steer offenders toward drug treatment as a condition for deferred prosecution."

The Clinton administration, however, seemed utterly unconcerned with common sense or practical solutions to a problem that is literally destroying the lives of adults and infants. Within a matter of weeks, HHS also sent investigators from its Office of Civil Rights. They alleged that the program was discriminatory toward blacks. Marie Chretien, a regional manager in the Office of Civil Rights, claimed in a letter to the hospital that its substance-abuse policy "may result in an adverse disproportionate impact on African-American women."

It is true that most of the women treated were black. The hospital serves a primarily indigent population, and most of the patient population is black. The South Carolina Drug Prevalence Study showed blacks were more likely to use cocaine than whites.

Ask Police Chief Greenberg, who is also African American, if this policy was discriminatory. He would be among the first to tell you that cocaine use is much more common in South Carolina among blacks than whites—and that the black community was benefiting most from the prenatal program. "[The program's opponents] don't care about the race issue. They're just using this as a tactic," Greenberg says. "I was glad that somebody was finally doing something to help kids in the black community. It was giving kids a chance who otherwise would not have anything close to an equal playing field. At least at the point of birth, that child ought to be given the best opportunity for a full and productive life."

In spite of all this, the HHS civil-rights office threatened in a letter last June to cut off federal money to



New Jersey Newsphotos

HHS Secretary Donna Shalala says South Carolina's cocaine-baby program is discriminatory...

MUSC unless it backed away from its aggressive treatment program. "It is the government's obligation to ensure that federal funds do not support a program which discriminates," Chretien wrote in the letter. "This obligation entails making a formal determination of whether there is a violation of the Title VI regulation ... and if negotiations for voluntary compliance fail, the initiation of administrative enforcement proceedings to terminate federal financial assistance."

What continues to amaze me, as the state's chief law-enforcement officer, is the groundlessness of the discrimination charge. In October 1993, the liberal, feminist Center for Reproductive Law and Policy filed a civil suit against the hospital alleging that its policy was racially discriminatory, and thus a violation of the Equal Protection Clause of the 14th Amendment. The New York-based center, an offshoot of the ACLU, asked a federal judge to issue an injunction against the hospital to suspend the drug-testing program. The judge declined, finding no basis for the discrimination charge.

It's no coincidence, by the way, that shortly after the feminist group failed in its lawsuit, investigators from the Clinton administration swooped down on the Medical University. I am convinced their plan was coordinated with HHS officials. So is the hospital. "It was obvious to us there was collusion between the center and all the federal agencies that came down on us," says the university's president, Dr. James Edwards.

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Photo courtesy of Reuben Greenberg

...but Charleston Police Chief Reuben Greenberg insists the program has benefited blacks most of all.

Whether HHS officials would have followed with their own lawsuit is unclear. Almost certainly they could not have won in court. But they didn't need to. The hospital, dependent on federal funding, never had a chance. HHS agents made an *ex parte* decision that the program was discriminatory. And so they exercised the federal version of the golden rule—that is, they've got the gold, so they make the rules.

The Clinton administration was willing to withhold millions of dollars from the Medical University, stop all of its Medicaid assistance, shut down its children's hospital and its cancer center, discontinue dozens of medical services from radiation oncology to pediatric surgery, close down its 558 beds, and force the hospital to turn away its patients—all to end a program that offended the liberal sensibilities of Donna Shalala and Bill Clinton. A gun was held to the hospital's head, and for the protection of all the other patients, the hospital had to agree to give up.

Unfortunately, this saga isn't over yet. The Office of the Solicitor and virtually everyone else involved in the hospital's prenatal drug policy is being sued by the Center for Reproductive Freedom on behalf of five women who tested positive for cocaine.

They want $3 million. It's a complicated suit, but it boils down to a claim that the program violated their right to privacy. In fact, the so-called constitutional right to privacy does not protect the results of a drug screen, especially not in this case.

First of all, you don't have a right to use crack cocaine; it's a felony. Second, all of the women knew about the amnesty program—there were public-service announcements about it, the women voluntarily came to the only hospital in the state that sponsored it, they were counseled about the consequences of testing positive, and they all signed consent forms before being screened.

Ugly Lessons

Medical personnel are held legally accountable for the health of both mother and unborn child throughout the pregnancy. In fact, malpractice insurance exists to support the obligations of primary-care providers in just such cases. If a fetus is damaged by inadequate, mistaken, or negligent medical practice, the hospital would quickly face lawsuits. So how is it that we have no legal means to keep mothers from seriously damaging or destroying their own babies? "If the mother is not going to be held responsible," says nurse Brown, "then I don't think any nurse or physician giving obstetrical care should have to be held liable."

The Clinton administration apparently believes that infants have no rights at all until the umbilical cord is cut. But the U.S. Supreme Court has never said that the states do not have a compelling interest in protecting the health of the unborn in the third trimester when they can live outside the womb. Indeed, case law in South Carolina and elsewhere suggests that society does have certain obligations to the unborn child, certainly at very advanced stages of development. South Carolina courts have interpreted "person" to include a viable fetus.

We put tremendous resources into prosecuting child-abuse cases because of the great damage done to children, and we make no apologies for that. The cocaine-baby program we started in South Carolina was, most of all, a child-abuse prevention program, protecting the smallest and the most innocent of children.

President Clinton and his messengers appear to be fundamentally unconcerned with the hundred of thousands of cocaine-addicted women who stagger into the delivery units of hospitals across the land. The only remedy they offer to the horribly damaged children who result from this madness is to increase the flow of Medicaid dollars, provided by taxpayers, to pay a price so large that it is literally impossible to calculate. And the greatest frustration of all is knowing that this increasingly expensive tragedy can be prevented. One of the most basic responsibilities a mother has is to her child. If a mother injected cocaine into the tiny arm of her infant, causing permanent brain damage or death, certainly that mother would be arrested and prosecuted.

Yet that is exactly what addicted mothers do when they consume cocaine throughout their pregnancy. In South Carolina, we tried to do something about it. The program we created was working. Now it is no more. And as long as powerful federal bureaucrats continue to manipulate federal funding to serve a bizarre agenda that is deaf to the cries of damaged babies, there is nothing more we can do.

Why is the Clinton administration stopping us from protecting our children? ☎

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Big Bird Goes Cold Turkey

Public Broadcasting Can Flourish Without Government Subsidies

Laurence Jarvik

When Bell Atlantic Chairman Ray Smith offered to help Congress find alternative sources of money to replace federal funding of public-television broadcasting, PBS supporters protested en masse. And when Jones Intercable—which already distributes adult-education courses through its Mind Extension University—offered to take over programming for PBS, the cries of outrage grew louder. Public broadcasting, which has always presented itself as an impoverished charity case throughout years of on-air beg-a-thons, was suddenly described by PBS president Ervin Duggan as a valuable business enterprise that should not be "sold off for scrap."

A similar contradiction surfaced when House Speaker Newt Gingrich (R-GA) first announced on National Empowerment Television (which receives no tax money) that he'd like to "zero out" federal subsidies for the Corporation for Public Broadcasting. Lobbyists attacked him for wanting to "kill" public broadcasting. This same lobby counters criticism of its reliance on tax money by pointing out that the federal share of its revenue was only 14 percent of the total.

PROPONENTS OF FEDERAL FUNDING WANT THE GOVERNMENT INVOLVED BECAUSE THEY DISLIKE PRIVATE ENTERPRISE.

The conflicting arguments of public-television advocates against the privatization of the industry illuminate the broad contours of the debate: Congress is now debating proposed cuts in appropriations for public broadcasting of 15 percent for 1996 and 30 percent for 1997. But the issue is about more than just $285.6 million in tax money; it is also about the role and reach of the federal government and an elitist culture determined to manipulate it for its own purposes:

Plenty of Money

Public broadcasters maintain that the federal share of their income is sacrosanct, the "seed money," and quite unlike the remaining 86 percent that comes from other sources. But, in fact, the federal matching formulas work precisely in the opposite manner. It is the non-federal money which is the "seed money" for public broadcasting, as anyone who has ever watched a pledge-week special will recognize. The federal government offers to match the amount of private funds each station succeeds in raising. This is the reason large urban stations with wealthy viewerships perversely receive more money from the Corporation for Public Broadcasting than do small, rural stations. It all prompts the question: Why are CPB advocates so certain the rest of their income could not be generated outside of federal coffers?

It was a curious thing to watch this hostility to businessmen displayed by representatives of an institution that usually, at least in public, sings honeyed praises of "public-private partnership." These same elites point to the many *Fortune* 500 corporations that enjoy enhanced prestige through their association with PBS: General Motors, Mobil, Exxon, GTE, New York Life, and Ford Motor Co.

Indeed, private-sector benefactors who offered to raise money for the educational broadcasting system were described by Frank Rich, a columnist for the *New York Times*, not as generous philanthropists, but rather as "circling vultures." The privatization that had once been described as impossible is now denounced as being all too likely.

The availability of private funding sources reveals that the fundamental issues are ideological and not financial. Proponents of federal support for public broadcasting want the government to be involved because they dislike private enterprise. They claim to fear the "trash" that a market-based broadcasting system could produce. They say they want to make television "safe for kids."

What they dislike, however, is not poor-quality programming, but the very idea of the market. If it were the former, then how can PBS justify *Tales of the City*, a campy

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Photofest

Popular programs such as "Sesame Street" can count on enormous commercial demand for licensed products. Characters like Count von Count already help sell $800 million in toys, games, and clothing a year.

soap opera; *Tongues Untied*, which was both crude and lewd; Frontline's *Death of a Playboy Centerfold* and *Death of a Porn Queen*, subjects more suitable to tabloid television; and *Yanni: Live at the Acropolis*, which some might consider of doubtful value? Clearly such programming is not intrinsically superior to *A Current Affair* or *Inside Edition*. In fact, trash is not in the least offensive to the fans of public broadcasting—*commercial* trash is.

In the PBS world view, exposure on public television can even elevate commercial television into art. Take the case of *I'll Fly Away*. A CBS drama starring Sam Waterston and Alfre Woodard, it did well critically, but poorly in the ratings, and was canceled after one season. PBS picked it up, producing one new episode and then airing a full season of repeats. The series depicted the effect on one family of the civil rights movement in the South, and flattered the sensibility of the liberal professionals who make up the core PBS audience. No doubt they could identify with this well-educated Southern family, which was manifestly superior to the backwards rednecks who made up the rest of the white folks in the series.

The program was among the highest-rated shows ever broadcast by the network. If anything, the success of *I'll Fly Away* has indicated that a show by commercial producers was just what public broadcasting needed. But that was not what happened. Despite the series's appeal, no further commercial drama has appeared on the network. Indeed, PBS even canceled a development deal with producer Brandon Tartikoff, who had been president of NBC when it was at the top of the ratings.

Commercial-drama producers were not welcome at PBS even after the success of *I'll Fly Away*, just as Bell Atlantic is not welcome as a replacement for Uncle Sam. The reason is simple: Public broadcasters see themselves as an aristocracy and, like aristocrats everywhere, they find commerce beneath them. No matter that the U.S. Constitution prohibits titles of nobility; public broadcasters see themselves like the Dons of 18th-century Spain, with neither dust on their boots nor soil of commerce on their hands.

The aristocratic pose of public broadcasting, and protestations of independence from mainstream American tastes, is curiously dependent precisely on the patronage of the federal government. Otherwise, the status of the enterprise is no different from that of any other broadcasting entity. Indeed, the aristocratic pretension even informs the refusal of the public-broadcasting lobby on Capitol Hill to submit CPB to the Freedom of Information Act. To disclose information to the American public—to mere commoners—would be to lose stature. The mystery of the enterprise would be disturbed, and without the mystery, there would be little majesty.

The aristocratic conceit also undergirds broadcasters' refusal to ensure, as the law requires, that programming is objective and balanced. The Public Broadcasting Act of 1967 specifically calls for such balance in all matters of public controversy. This was necessary for the same reason Congress passed the ban on domestic dissemination of the Voice of America—that it would be dangerous to allow the federal government's power over the press to be exploited by a victorious political faction.

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In 1992, after complaints of imbalance and the intercession of Senator Dole (R-KS), Congress strengthened the statute to provide for a procedural review of programming and commissioning of remedial fare whenever public broadcasters violated standards of objectivity. Yet, after almost three years, the CPB has never admitted a single mistake, nor commissioned a single hour of remedial programming.

A desire to wear a cloak of status and prestige is the only explanation for this otherwise inexplicable phenomenon. For to admit error would be to place public broadcasting on the same plane as the commercial press. The *New York Times* prints corrections every single day. The *Washington Post* has an ombudsman. When NBC was caught rigging a crash test on *Dateline NBC*, the company fired the president of NBC News. But when PBS aired the fraudulent *Liberators*, which falsely gave credit for the liberation of Buchenwald to African-American troops instead of the 6th Armored Division, WNET in New York retracted it after substantial public pressure from Jewish groups and World War II veterans. Yet not a single head rolled, and no corrective programming was aired.

The aristocratic conception of status also thrives in the relation of CPB to Congress. Although dependent on the federal government for its annual appropriation, the CPB regards its role as a "heat shield" against Congressional critics rather than a regulator. That is, public broadcasting must be permitted to receive federal funds and commission programming with no questions asked. The government-weary electorate demands accountability for tax money spent on every other government program. Yet public broadcasters stand with the National Endowment for the Arts as one of the few recipients who claim a special exemption.

Photofest

Go figure: The PBS children's show "Shining Time Station" enjoys $250 million in product sales each year, but public broadcasters see little of it.

Kids as Shields

PBS's attitude is bad enough when it is programming for the "new class" of professionals and educators. But it is even worse when it hides behind supposed concern for the sensibilities of children. Commercials, one of the engines of revenue, are deemed hazardous by a cadre of "experts" in education and media, who need to certify shows as "educational."

But here's the rub: When advertising aimed at children became increasingly restricted on the networks, PBS became the venue for licensing bonanzas connected to its shows. For example, over 5,000 products connected to *Sesame Street* are grossing almost $1 billion in annual sales. Yet the show is nevertheless considered "non-commercial" because it is certified as such by "experts" in educational psychology, such as Gerald Lesser, a founder of Children's Television Workshop (which created *Sesame Street*) and a professor at Harvard University's School of Education.

PBS executives try to have it both ways. On the one hand, they shun commercial television because of its commercializing influence on children. On the other hand, those with the franchises for PBS shows enjoy exclusive advantages no other toy vendors can claim—for they carry the noble title, "educational," and the PBS seal.

Big-Bucks Programming

In public broadcasting, the democratic institution of Congress, which is responsible to the taxpayer, relinquishes the power to approve programs to an unelected bureaucracy. In deciding who gets grants, the Corporation for Public Broadcasting has depended on judgments from expert panels of industry insiders, rather than the board of directors appointed by the president and confirmed by the Senate. Again, the principle is clear: CPB should be accountable neither to the marketplace nor to the taxpayers and their representatives.

In fiscal year 1993, CPB distributed some $289.4 million to 200 affiliated television stations and 490 affiliated radio stations. That was about 14 percent of the total—about $2 billion—spent on public radio and television. By way of comparison, in fiscal year 1993, CBS was the number-one rated television network in the country, with a prime-time Nielsen rating of 14.0, and earned broadcasting revenues of about $2.3 billion. At that time, public television stations spent about $1.2 billion for an average prime time rating of under 2.5. In other words, CBS was paying $164 million for every ratings point in 1993, while PBS was paying about $480 million per ratings point.

Were PBS viewers three times as valuable as network audiences, or was the federally-subsidized network simply paying three times as much to reach the same people? Rather than reaching the most people for the least amount of money—a democratic mission—public broadcasting strives to reach a *select* group of people, no matter the cost. Such targeting of consumers happens all the time in the commercial marketplace. But it's hard to jus-

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tify for a democratically funded organization.

This phenomenon of elitist and parochial disdain, then, begins to explain the unwillingness of the public broadcasting lobby to engage in the debate over the specifics of public broadcasting. The problem is not lack of money. It is simple snobbery on the part of public broadcasters. Federal tax dollars are considered "clean." Private donations, sponsorship, or underwriting is considered "dirty."

Could the public broadcasting system become self-sufficient? Of course. The money is already there, within the same system that has been growing for more than 27 years. As President Clinton himself told Brian Lamb in a C-Span interview during the 1992 campaign, the public broadcasting system is pretty healthy, and he "didn't know that we needed to spend any more money on it." The president's own budget line item for CPB has been essentially frozen since he took office, and his administration actually proposed a 6 percent cut for public broadcasting in its 1996 budget.

Drawing from the Well

Where could taxpayer funding find a substitute? Any number of combinations and permutations of replacement funders spring to mind.

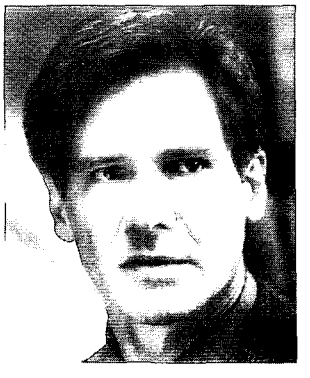
- More than 5.2 million members contribute some $391 million annually to public-broadcasting stations. That's about $75 each. Since public-broadcasting membership represents the top stratum of the socioeconomic ladder, were each subscriber simply to pledge $56 additional each year, it would yield public broadcasting $290 million—the entire federal share. Not too difficult a challenge, considering that the average net worth of the membership of WETA, a PBS station in Washington, D.C., is $627,000, according to *USA Today*.
- The private foundations that support public broadcasting are among the richest entities in America today. They include the multi-billion-dollar Ford, MacArthur, Warhol, and Rockefeller foundations. Certainly these vast accumulators of wealth could increase their contributions to public broadcasting as well. The Ford Foundation alone has a $6 billion endowment. If public broadcasting were a genuine priority for them, private foundations could make up the $290 million annual appropriation from their own bank accounts.
- The commercial radio and television networks that benefit from the fact that PBS and National Public Radio serve to crowd out potential competitors could fund public broadcasting in the same way that cable companies pay for C-Span, as a cost of doing business and a way of increasing corporate goodwill. Split between NBC, ABC, CBS, and Fox, the sum required would be about $75 million each, and no doubt the networks could barter programs onto the schedule as part of the contribution. This system was actually used by Margaret Thatcher's government in Great Britain to establish Channel Four—originally proposed as taxpayer-supported. A private corporation owned by the other commercial television companies and known collectively as Independent Television (ITV), Channel Four was so successful at nurturing alternative and diverse television programming that it has actually begun to support itself, even attracting commer-

Deep Pockets in Show Biz

As Barbra Streisand reminded us, entertainment is a $340-billion industry. Some of its biggest beneficiaries could help offset the loss of subsidies to public broadcasting. Their incomes in 1993, according to *Forbes:*

Oprah Winfrey: $53 million

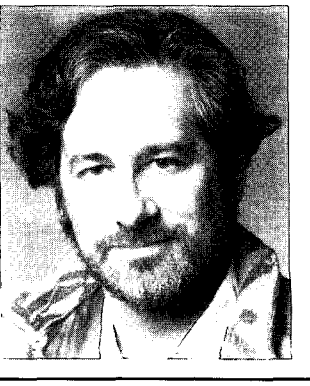
Barbra Streisand: $52 million



Harrison Ford: $27 million

Tom Hanks: $16 million

Kevin Costner: $15 million



Steven Spielberg: $165 million-$170 million

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cial sponsors. It frequently draws better than the BBC's arts and cultural channel, BBC-2.

• Hollywood stars are quite vocal in their support of public broadcasting, lining up to testify at congressional hearings. But they haven't yet confessed that they are in a better position than most to make up for the federal share. Entertainer Barbara Streisand, who makes $10 million to $15 million per picture while warning about the deleterious effects of cutting public television funding, admitted in a recent speech at Harvard that Americans spend about $340 billion annually on the entertainment industry. A donation from the Hollywood moguls totaling only one-half of 1 percent of those receipts would amount to more than five times the federal share to all of public broadcasting.

What's going on here? Are CPB and its offspring, NPR and PBS, hapless paupers dependent on the federal dole? Or are they sophisticated business ventures whose profit potential remains untapped? Which is it? Although Streisand denounces conservatives for emphasizing the private sector, she has chosen to work with commercial Hollywood studios and record companies. Stars like Streisand, along with other "arts advocates" from groups like the Creative Coalition such as Blair Brown, Christopher Reeve, Ron Silver, and William and Alec Baldwin, could agree to donate their time to do one television special a year for public broadcasting. They could get their Hollywood friends to join them, and the programming could be used as pledge specials. If such stars appeared for free on PBS, their shows could be used for fundraising, much like *The Three Tenors* is used now.

How much money could Hollywood raise for public broadcasting? You do the math: Streisand brought in a cool $1 million for then-candidate Bill Clinton at a 1992 fundraiser. In 1986, she raised $1.5 million for a group of six Democratic congressional candidates. *Forbes* magazine estimates Streisand earned $52 million in 1994.

Other big-money show-business stars (according to *Forbes*) include Oprah Winfrey, who made $53 million last year, Bill Cosby ($34 million), Harrison Ford ($27 million), Bruce Willis ($19 million), Tom Hanks ($16 million), Kevin Costner ($15 million), Tom Cruise ($14 million), Eddie Murphy ($13 million), and Roseanne ($13 million). The richest of them all is Steven Spielberg. *Forbes* magazine estimates Spielberg makes $165 million to $170 million annually.

We know where at least some of their money goes. Spielberg donated $161,000 to Democrats running for Congress. Five studio political-action committees gave $866,798 to Democrats (compared to $187,050 to Republicans). MCA chairman Lew Wasserman gave more than $230,000 to Democrats in 1992, compared to $6,000 to Republicans. In 1992 Disney's Jeffrey Katzenberg (now partnered with Spielberg and music mogul David Geffen in a new company) gave over $100,000 to Democrats and $2,000 to Republicans. Disney's Michael Eisner gave $19,000 to Democrats and $3,000 to Republicans. Eisner, it should be remembered, sold almost $200 million worth of Disney stock after the election of Bill Clinton because he feared higher taxes. That one transaction was worth almost the entire amount the Corporation for Public Broadcasting spent on PBS in 1992.

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"Mystery!," a weekly PBS series hosted by Diana Rigg, is sponsored by Mobil Corp., pointing the way toward self-sufficiency for the network.

With the biggest names from the silver screen appearing on PBS, there is no question but audiences would rise to the occasion. In fact, PBS President Duggan, in a speech to affiliates last year, said he would love to have a Barbra Streisand special on PBS for pledge week. No doubt CD sales alone would make a startling contribution to the PBS budget. Yet so far, Barbra is still operating in the commercial sphere. Why?

Underwriters would surely love to be associated with top stars, and so private support would no doubt more than make up the federal shortfall. Indeed, producers like Norman Lear (founder of People for the American Way) might even agree to produce series for PBS and donate their fees as contributions, with residual rights reverting to PBS.

• As Senator Larry Pressler (R-SD) showed, the telephone companies seem to be willing to provide free over-the-air educational and cultural programming in exchange for the

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right to enter the broadcasting business. Certainly regulators and corporations could arrange to make duplicate television stations available for other purposes while maintaining the core mission of public broadcasting as a cost of doing business.

◦ Cable companies like Jones Intercable also appear ready to step into the breach, providing public-service broadcasting in order to expand their activities. Such offers should be seriously considered. Another cablecaster expressing interest is the Discovery Network, which also runs The Learning Channel.

◦ Finally, PBS could strike better deals with the producers of *Barney, Sesame Street, The Civil War, The Frugal Gourmet,* and the dozens of other extremely lucrative programs with merchandising tie-ins carried on the taxpayer-subsidized airwaves. Valuable air time is now given away for free to these producers, who know what to do with it. Producers of *Sesame Street,* for example, use the subsidized exposure to sell $800 million worth of some 5,000 licensed products annually. The show's producer, Children's Television Workshop, has about $70 million in stocks and bonds and pays its top executives more than $300,000 a year. *Barney* was estimated to sell about $500 million worth of products in 1993, and *Shining Time Station* garnered $250 million. Intelligent licensing deals alone could probably make up the lost federal subsidy from products connected to PBS's children's programming.

Photofest

If federal government support of broadcasting is cut, Big Bird may have to work the rubber-chicken circuit.

The recent announcement that CPB would get a share of *Barney*'s net profits is unfortunately mere window dressing. In show business, only gross points are real dollars, and CPB does not share in the gross under any known contract. One reason that producers connected to public broadcasting have enjoyed such sweet arrangements is that the system is federally subsidized, There is no incentive to strike the most profitable deal. As media critic Brent Bozell noted in recent congressional testimony, it is very hard for public-broadcasting executives to go up to Capitol Hill and ask for increasing amounts of taxpayer money if they are making millions from selling T-shirts.

And they are. The *Wireless* and *Signals* catalogs produced by Boston's WGBH and Minnesota Public Radio, for example, yield about $150 million in total. On the East Coast, PBS stations are partners in the Learningsmith chain of stores, pioneered by WGBH and WETA. On the West Coast, KCET owns a chain, The Store of Knowledge. Both are private firms that benefit from the cross-promotion, advertising, and corporate goodwill of their association with PBS. But their books are sealed to the public, exempted from the Freedom of Information Act.

Public broadcasting can survive, indeed thrive, without a penny of scarce taxpayer dollars. There are many alternative sources of revenue, from station members, to corporate underwriters, to alternative programmers. Better deals can be struck with those who are exploiting the present system. The opposition to self-sufficiency is based not on practical considerations, but rather on an ideological commitment to the role of the federal government as the guarantor of culture and education—much as in Britain, where there are jams and jellies carrying the emblem, "by appointment to Her Majesty."

That is why the current debate over public broadcasting is so fierce. It is a struggle between those with an "unconstrained vision," in the words of economist Thomas Sowell, of an all-powerful central government run by an educated elite that does everything, including decide what is cultural and educational television. On the other side are those who feel a commitment to limited government. As Representative John Kasich (R-OH) recently put it, "the vast majority of people we hear from say, as we go into the 21st century, government doesn't need to run a television station." ☎

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The Unconstitutional Congress

The GOP Misses the Best Argument for Limiting Government

Stephen Moore

> The framers of the Constitution were great clockmakers in the science of statecraft, and they did, with admirable ingenuity, put together an intricate machine, which promised to run indefinitely, and tell the time of the centuries.
>
> —James M. Beck,
> Solicitor General of the United States, 1925-28

In 1800, when the nation's capital was moved from Philadelphia to Washington, D.C., all of the paperwork and records of the United States government were tightly packed into 12 boxes, and then transported the 150 miles to Washington on a horse and buggy. That was truly an era of lean and efficient government.

In the early years of the Republic, government bore no resemblance to the colossal empire it has evolved into today. In 1800, the federal government employed 3,000 people and had a budget of less than $1 million ($100 million in today's dollars). That's a far cry from today's federal budget of $1.6 trillion and workforce of 18 million.

Since its frugal beginnings, the U.S. federal government has come to subsidize everything from research into Belgian endives to maple-syrup production to the advertising of McDonald's french fries in Europe and Japan. In a recent moment of high drama before the Supreme Court, during oral arguments involving the application of the interstate-commerce clause of the Constitution, a bewildered Justice Antonin Scalia pressed the solicitor general to name a single activity or program that our modern-day Congress might undertake that would fall outside of the bounds of the Constitution. The stunned Clinton appointee could not think of one.

To win the epic battle over the budget that is now looming on Capitol Hill, this is precisely the type of question that fiscal conservatives need to start asking. It is instructive that during the entire debate over the controversial 1994 Crime Bill, not a single Republican rose up on the House or Senate floor and attacked the $10 billion in social spending on the grounds, not that it was wasteful, but that most, if not all, of it is simply not the proper responsibility of the federal government. Conservatives should have been asking the question: *Where is the authority under the Constitution* for Congress to spend money on midnight basketball, modern-dance classes, self-esteem training, and the construction of swimming pools?

In other words, fiscal conservatives need to go beyond making the case that government wastes money—which it surely does—and start making the case that most federal spending today is illegitimate because it lies outside Congress's spending powers under the Constitution.

The idea is not radical, nor is the strategy futile. For the first 150 years of this nation's history, proponents of limited government in Congress and the White House routinely argued—with great success—a philosophical case against the creation and expansion of federal social-welfare programs.

MOST SOCIAL-SPENDING BILLS ARE SIMPLY NOT THE PROPER RESPONSIBILITY OF THE FEDERAL GOVERNMENT.

There are critical lessons here for Newt Gingrich and his allies in their crusade to radically downsize government and topple the "old world order" in Washington.

The U.S. Constitution is fundamentally a rulebook for government. Its guiding principle is the idea that the state is a source of corruptive power and ultimate tyranny. Washington's responsibilities were confined to a select few enumerated powers, involving mainly protecting the national security of the nation and preserving public safety. In the realm of domestic affairs, the Founders foresaw limited federal interference in the daily lives of its citizens. The minimal government involvement in the domestic economy that was envisioned by the drafters of the Constitution would

Stephen Moore *is the director of fiscal policy studies at the Cato Institute.*

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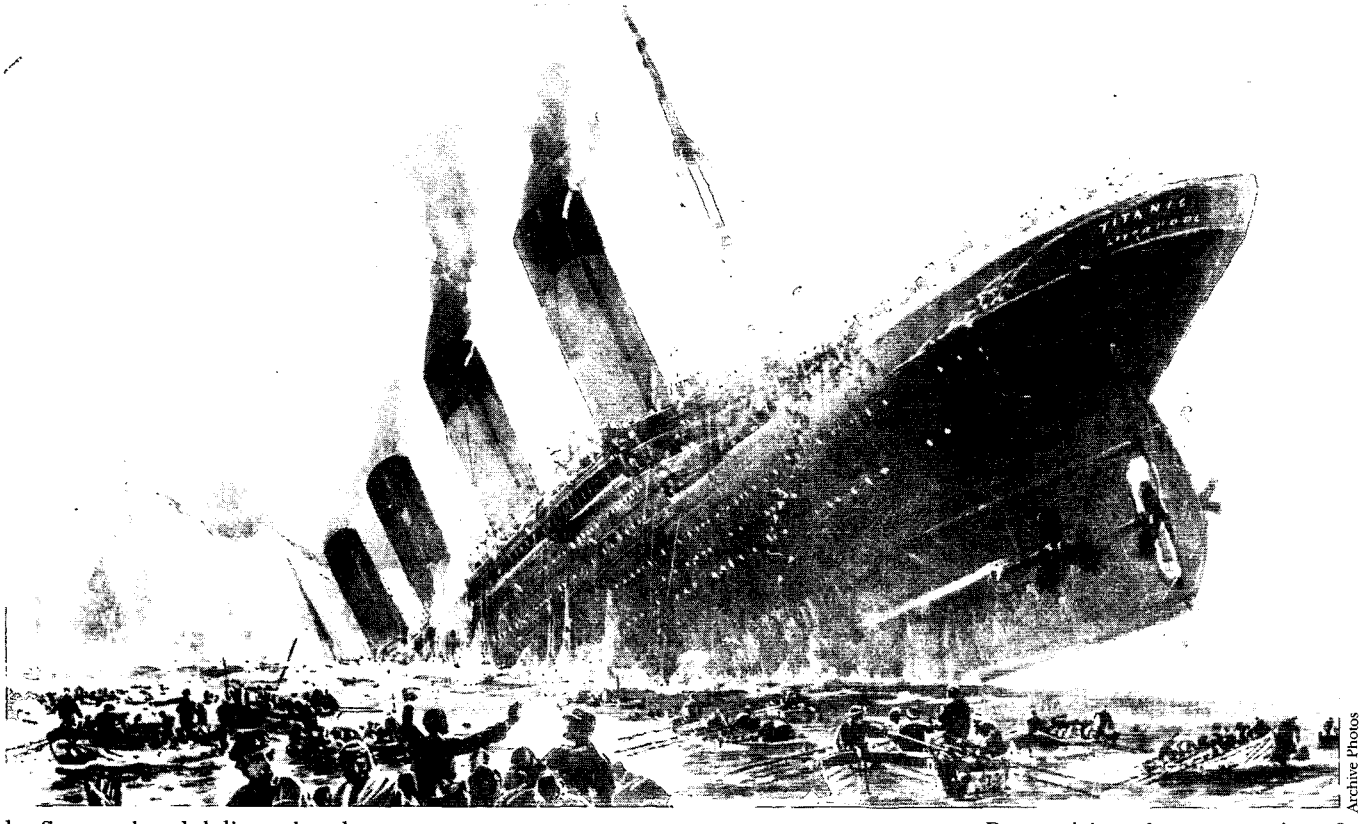

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be financed and delivered at the state and local levels.

The enumerated powers of the federal government to spend money are defined in the Constitution under Article I, Section 8. These powers include the right to "establish Post Offices and post roads; raise and support Armies; provide and maintain a Navy; declare War;" and other activities related mostly to national defense.

No matter how long one searches through the Constitution, it is impossible to find any language that authorizes at least 90 percent of the civilian programs that Congress crams into the federal budget today.

Former Solicitor General James Beck likened the Supreme Court's loose interpretation of the general-welfare clause to the sinking of the "Titanic."

There is no granting of authority for the federal government to pay money to farmers, run the health-care industry, impose wage and price controls, give welfare to the poor and unemployed, provide job training, subsidize electricity and telephone service, lend money to businesses or foreign governments, or build parking garages, tennis courts, and swimming pools. The Founders did not create a Department of Commerce, a Department of Education, or a Department of Housing and Urban Development. This was no oversight: they simply never imagined that government would take an active role in such activities.

Recognizing the propensity of governments to expand, and, as Jefferson put it, for "liberty to yield," the Framers added the Bill of Rights as an extra layer of protection of the rights of individuals against the state. The Bill of Rights was inserted to ensure that government would never grow so large that it could trample on the individual and economic liberties of American citizens. The 10th Amendment to the Constitution states the Founders 'intentions quite clearly and unambiguously: "The powers not delegated to the United States by the Constitution... are reserved to the States respectively, or to the people." Such plain language would not seem to be easy to misinterpret. Put simply, if the Constitution doesn't specifically permit the federal government to do something, then it doesn't have the right to do it.

The original budget of the U.S. government closely reflected the founder's vision. The very first appropriations bill passed by Congress consisted of 111 words—not pages, mind you, *words*. The main expenditures went toward paying the costs of the military, including $137,000 for "defraying the expenses" of the Department of War, $190,000 for retiring the debt from the Revolutionary War, and $95,000 for "paying the pensions

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to invalids." As for domestic activities, $216,000 was appropriated (or roughly what the domestic agencies spend in 15 seconds today!).

Even expenditures for the most charitable of purposes were routinely spurned as illegitimate. In 1794, James Madison wrote disapprovingly of a $15,000 appropriation for French refugees: "I cannot undertake to lay my finger on that article of the Constitution which granted a right to Congress of expending, on objects of benevolence, the money of their constituents."

This view that Congress should follow the original intent of the Constitution was restated even more forcefully on the floor of the House of Representatives two years later by William Giles of Virginia, who condemned a relief measure for fire-victims. Giles insisted that it was not the purpose nor the right of Congress to "attend to what generosity and humanity require, but to what the Constitution and their duty require."

In 1827, the famous Colonel Davy Crockett was elected to the House of Representatives. During his first term of office, a $10,000 relief bill for the widow of a naval officer was proposed. Colonel Crockett rose in stern opposition and gave the following eloquent rebuttal to the bill:

"We must not permit our respect for the dead or our sympathy for the living to lead us into an act of injustice to the balance of the living. I will not attempt to prove that Congress has no power to appropriate this money as an act of charity. Every member upon this floor knows it. We have the right as individuals, to give away as much of our own money as we please in charity; but as members of Congress we have no right to appropriate a dollar of the public money."

After he sat down and a vote was taken, instead of unanimous approval as had been assumed, the measure failed with only a few votes in support of it. (Legend has it that Crockett, one of the poorest members of the House at that time, was the only one to contribute substantially to a private charitable fund for the widow.)

In a famous incident in 1854, President Franklin Pierce was pilloried for vetoing an extremely popular bill intended to help the mentally ill. The act was championed by the renowned 19th-century social reformer Dorothea Dix. In the face of heavy criticism, Pierce countered: "I cannot find any authority in the Constitution for public charity." To approve such spending, argued Pierce, "would be contrary to the letter and the spirit of the Constitution and subversive to the whole theory upon which the Union of these States is founded."

Grover Cleveland, the king of the veto, rejected hundreds of congressional spending bills during his two terms as President in the late 1800s, because, as he often wrote: "I can find no warrant for such an appropriation in the Constitution."

Were Jefferson, Madison, Crockett, Pierce, Cleveland, and the countless other lawmakers during that age merely hardhearted and uncaring penny pinchers, as the federalists often charged? Did they not have within them sympathy for fire victims? Or the mentally ill? Or widows? Or impoverished refugees?

The answer is of course they were not uncharitable scrooges. They simply felt honorbound to uphold the Constitution. They perceived—we now know correctly—that once the genie was out of the bottle, it would be impossible to get it back in. Any unwarranted government interference, no matter how righteous or well-intended, would be, as Madison put it, "but the first link of a long chain of repetitions." Of course, we now know just how remarkably prescient Madison and his colleagues were.

With notable exceptions, through the first 100 years of the Republic, Congress, the President, and the Courts remained mostly faithful to the letter and spirit of the Constitution with regard to government spending. As economic historian Robert Higgs noted in his famous book *Crisis and Leviathan*, until the 20th century, "government did little of much consequence or expense" other than running the military. The total expenditures for the federal budget confirm this assessment. Even as late as 1925, the federal government was still spending just 4 percent of national output.

Several major turning points in American history mark the reversal of this ethic of extremely judi-

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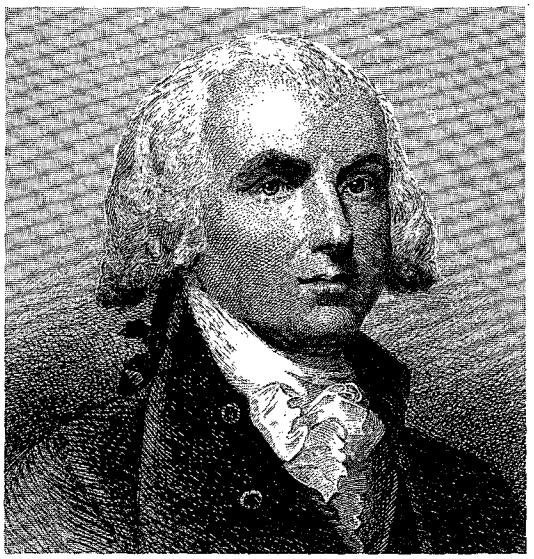

James Madison: "I cannot undertake to lay my finger on that article of the Constitution which granted a right to Congress of expending, on objects of benevolence, the money of their constituents."

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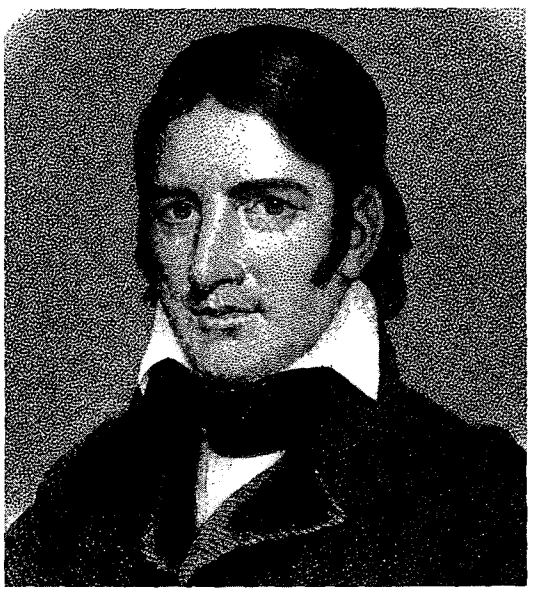

Davy Crockett: "[We can] give away as much of our own money as we please in charity; but as members of Congress, we have no right to appropriate a dollar of public money."

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cious use of the government's powers to spend and tax. The first was the passage in 1913 of the 16th Amendment, which permitted a federal income tax. This was the first major tax that was not levied on a proportional or uniform basis. Hence, it allowed Congress a political free ride: It could provide government benefits to many by imposing a disproportionately heavy tax burden on the wealthy.

Prior to enactment of the income tax, Congress's power to spend was held in check by its limited power to tax. Throughout the 19th century, most federal revenues came from tariffs and land sales. Neither source yielded huge sums. The income tax, however, soon became a cash cow for a Congress needing only the feeblest of excuses to spend money.

The second major event that weakened constitutional protections against big government was the ascendancy of Franklin Roosevelt and his New Deal agenda to the White House during the Great Depression. During this era, one after another constitutional safeguards against excessive government were either wholly ignored or spectacularly misinterpreted by the Congress and the courts. Most notable and tragic has been the perversion of the "general welfare" clause of the constitution. Article I, Section 8 of the Constitution says:

"The Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts, provide for the common defense, and promote *the general welfare* of the United States."

Since the 1930s, the courts have interpreted this phrase to mean that Congress may spend money for any purpose, whether an enumerated power of government or not, as long as legislators deem it to be in "the general welfare of the United States." That is, this innocent clause has become the equivalent of *carte blanche* spending authority for Congress.

This was exactly the opposite of what the drafters of the Constitution intended. It is almost beyond dispute that the Founders meant the general-welfare clause to be a *limiting* provision on government. They meant that the government's spending and taxing powers could only be used for purposes that were in the general welfare of the nation and its citizens collectively, not of particular groups of citizens—farmers, students, welfare recipients, minorities, the disabled. Jefferson was forever concerned that the general-welfare clause might be perverted. To clarify its meaning, in 1798 he wrote: "Congress has not unlimited powers to provide for the general welfare, but only those specifically enumerated."

In fact, when the early federalists began to argue that the general-welfare clause gave Congress a generalized spending authority, they were forcefully rebuked. "Can it be conceived that the great and wise men who devised our Constitution," asked South Carolina Senator William Drayton in 1828, "should have failed so egregiously as to grant a power which rendered restriction upon power practically unavailing?" And then he asked the question that is really the essence of the issue: "If Congress can determine what constitutes the general welfare and can appropriate money for its advancement, where is the limitation to carrying into execution whatever can be effected by money?"

Exactly.

By the late 19th century, Congress had adopted the occasional practice of enacting spending bills for public charity in the name of "promoting the general welfare." These laws often made a mockery of this clause. In 1884, Senator John Morgan of Alabama stormed to the Senate floor to describe the impact of a relief bill approved by Congress to provide $400,000 of funds for victims of a flood on the Tombigbee River. Morgan lamented:

"The overflow had passed away before the bill passed Congress, and new crops were already growing upon the land. The funds were distributed in the next October and November elections upon the highest points of the sand mountains throughout a large region where the people wanted what was called 'overflow bacon.' I cannot get the picture out of my mind. There was the General Welfare of the people invoked and with success, to justify this political fraud; the money was voted and the bacon was bought, and the politicians went around with their greasy hands distributing it to men who cast greasy ballots. And in that way the General Welfare was promoted!"

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Franklin Pierce: "Public charity...would be contrary to the letter and the spirit of the Constitution and subversive to the whole theory upon which the Union of these States is founded.

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Grover Cleveland vetoed hundreds of spending bills in the late 1800s, because, as he often wrote: "I can find no warrant for such an appropriation in the Constitution."

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But the real avalanche of such special-interest spending did not start until some 50 years later in the midst of the Depression. In their urgency to spend public-relief funds to combat hard times, legislators began to sound openly contemptuous of the constitutional restraints designed to prevent these raids on the public purse. "I have no patience whatever with any individual who tries to hide behind the Constitution, when it comes to providing foodstuffs for our citizens," argued New York Representative Hamilton Fish in support of a 1931 hunger relief bill. "I am going to give the Constitution," said James O'Conner, a congressman from Louisiana in that same year, "the flexibility ... as will enable me to vote for any measure I deem of value to the flesh and blood of my day."

The tradition of pork-barrel spending began in earnest during this period. In 1931, for instance, Congress introduced an act to provide flood relief to farmers in six affected states. But by the time the bill made its way through Congress, farmers in 15 states became its beneficiaries.

One Oklahoma congressman succinctly summarized the new beggar-thy-neighbor spending ethic that had overtaken Capitol Hill: "I do not believe in this pie business, but if we are making a great big pie here ... then I want to cut it into enough pieces so that Oklahoma will have its piece."

In 1932, Charles Warren, a former assistant attorney general, wrote a popular book entitled *Congress as Santa Claus*. "If a law to donate aid to any farmer or cattleman who has had poor crops or lost his cattle comes within the meaning of the phrase 'to provide for the General Welfare of the United States,' " he argued, "why should not similar gifts be made to grocers, shopkeepers, miners, and other businessmen who have made losses through financial depression, or to wage earners out of employment? Why is not their prosperity equally within the purview of the General Welfare?"

Of course, we now know Congress's answer: All of these things *are* in the "general welfare." This is why we now have unemployment compensation, the Small Business Administration, the Department of Commerce, food stamps, the black-lung program, and on and on. Of course, all of this special interest spending could have been—no, should have been—summarily struck down by the courts as unconstitutional. But tragically, the Supreme Court eventually served as a willing co-conspirator in these spending schemes.

In a landmark 1936 decision, the Supreme Court inflicted a mortal blow to the Constitution by ruling that the Agricultural Adjustment Act was constitutional. The court's interpretation of the spending authority of Congress was frightful and fateful. In its ruling, the court wrote: "The power of Congress to authorize appropriations of public money for public purposes is not limited by the grants of legislative power found in the Constitution."

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Rep. Hamilton Fish (R-NY): "I have no patience whatever with any individual who tries to hide behind the Constitution, when it comes to providing foodstuffs for our citizens."

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Under Franklin Roosevelt's New Deal agenda, constitutional safeguards against excessive government were either wholly ignored or spectacularly misinterpreted by the Congress and the courts.

James M. Beck, the great American legal scholar and former solicitor general, likened this astounding assault on the constitution to the *Titanic*'s tragic collision with the iceberg. "After the collision," wrote Beck, "which was hardly felt by the steamer at the time, the great liner seemed to be intact and unhurt, and continued to move. But a death wound had been inflicted under the surface of the water, which poured into the hold of the steamer so swiftly that in a few hours the great ship was sunk."

The New Deal Court essentially told Congress: It doesn't matter what the Constitution says or what limits on government it establishes, you are empowered to spend money on whatever you please.

And so Congress does, even to the extent that its profligacy has placed the nation in great economic peril.

Other than the Great Depression, by far the most important events that have fostered the growth of government in this century have been the two world wars. Periods of national crisis tend to be times where normal constitutional restraints are suspended and the nation willingly bands together under government for a national purpose of fighting a common enemy.

Yet the recurring lesson of history is that once government has seized new powers, it seldom gives them fully back after the crisis ends. Surely enough, this phe-

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nomenon is one of Parkinson's famous laws of the public sector:

"Taxes [and spending] become heavier in times of war and should diminish, by rights, when the war is over. This is not, however, what happens. Taxes regain their pre-war level. That is because the level of expenditure rises to meet the wartime level of taxation."

In the five years prior to World War I, total federal outlays averaged 2 percent of GDP. In the five years after the war, they averaged 5 percent of GDP. In the years prior to that war the top income tax rate was 7 percent. During the war the tax rate shot up to 70 percent, which was reduced afterward, but only to 24 percent—or more than three times higher than it had originally been.

Government regulations of the private economy also proliferate during times of war and often remain in force afterward. Economist Robert Higgs notes that during World War I the federal government nationalized the railroads and the telephone lines, requisitioned all ships over 2,500 tons, and regulated food and commodity prices. The Lever Act of 1917 gave the government the power to regulate the price and production of food, fuels, beverages, and distilled spirits. It is entirely plausible that without the war, America would never have suffered through the failed experiment of Prohibition.

World War II was also the genesis of many modern-day government intrusions—many of which were and still are of dubious constitutionality.

These include wage and price controls, conscription (which lasted until the 1970s), rent control in large cities (which still exists), and, worst of all, federal income-tax withholding.

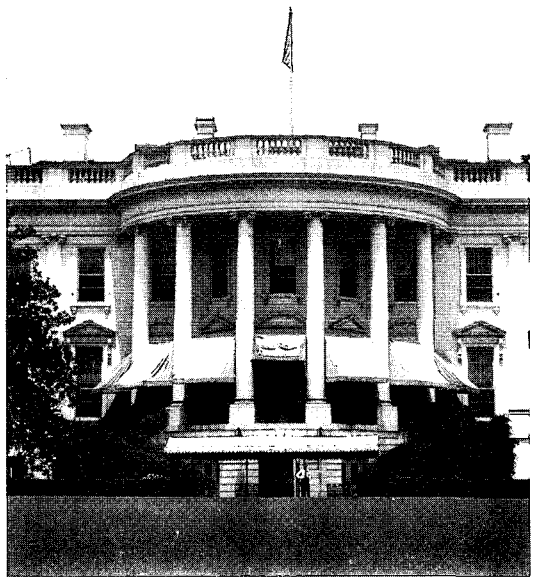
In the post-World War II era, Congress has often relied on a war theme to stretch its authority into domestic life. Lyndon Johnson launched the modern welfare state in the 1960s, when he declared a "war on poverty." In the early 1970s, Richard Nixon imposed across-the-board wage and price controls—the ultimate in government command and control—as a means of winning the "inflation war." In the late 1970s, Jimmy Carter sought to enact a national energy policy with gas rationing and other draconian measures, by pleading that the oil crisis had become "the moral equivalent of war."

While government has clearly been the major beneficiary of national emergency, the principal casualty has been liberty. This should give us pause as Congress now sets out to solve the health-care crisis, the education crisis, the epidemic of crime, and so forth. To Congress, a crisis is an excuse to expand its already near-ubiquitous domain.

Archive Photos

It is sad that the chambers of the Capitol have not recently witnessed any ringing defense of the original view of the government's constitutional limitations.

Archive Photos



Can the nation expect any of the conservative presidential hopefuls to redefine the government's constitutional role in the spirit of the document's Framers?

Reinvented Government

Shortly before his death, Benjamin Franklin was asked how well the Constitution would survive the test of time. He responded optimistically that "everything appears to promise it will last." Then he added his famous quip, "But in this world nothing is certain but death and taxes."

Ironically, the death wound that has been driven into the Constitution has been placed there by precisely those who insist that they want to make it "a living document." Yet to argue that we return to the spirit and the true meaning of this "living document" is to invite a look of scorn, malice, or outright disbelief from modern-day intellectuals.

One is accused of trying to "turn back the clock" when urging that government be guided by the original intent of the Constitution. And so few make the case. This, ultimately, has left government free to curtail one economic liberty after another. So not surprisingly, these liberties have fallen like a row of dominoes.

It is a strange and sad curiosity that in the entire debate now raging in Washington over downsizing government, not a single member of Congress of either party has objected to spending on the grounds that "I cannot lay my finger on the article of the Constitution which grants a right to Congress to expend money or regulate the economy for this purpose." It shows how far we have strayed from constitutional government that such a protest is not even bothered with.

What the Congress needs now is a few Madisons, Jeffersons, Pierces, and Crocketts.

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Black Flight

Years of Liberal Government Drives Away D.C.'s Middle Class

Philip Murphy

Washington is a city of monuments. Its grandest and most expensive is a work still in progress, but nearing completion: the District of Columbia itself, which commemorates the ruin of American liberalism.

The D.C. government is bankrupt today because liberal policies have decimated its tax base. Washington is a hollow community of extreme rich and poor. Landlords and private employers have fled by the thousands, followed by nearly the entire middle class of taxpayers. Although Washington is the center of one of the most dynamic information-based economies in the U.S, it has a declining population and a growing number of people below the poverty line. This year, twice as many households as in 1988 lack phones. In no other laboratory of democracy has the liberal experiment taken such pure form. Nowhere else have the results been so damning.

The District is perhaps the most liberal city in America. Nine of every 10 registered voters are Democrats, and the Socialist Workers Party fields more candidates for local office than the Republican Party. Conceived at the high tide of American liberalism, the District government is a product of its times, more concerned with the rights of groups than with the responsibilities of individuals. Many of the original office holders, political activists with no experience in private enterprise, are still in power today. The results are tragic. Among all U.S. states, the District has the highest per-capita murder and violent-crime rates, the highest percentage of residents on public assistance, the highest-paid school board, the lowest SAT scores, and the most single-parent families.

The political activists have built a government they can't afford. Although the city takes in an astounding $8,950 in revenue for every man, woman, and child in its jurisdiction (compared with $4,100 and $3,700 in nearby Maryland and Virginia, respectively), the District still manages to spend $1,000 more per person than it receives. The result is a budget deficit edging closer to $1 billion with each new audit.

The victims of this ferociously progressive government are not the wealthy and privileged, but the middle class and beleaguered. Today, in some parts of the city, it seems entire neighborhoods are for sale. In places like Shepherd Park, Lincoln Park, Marshall Heights—communities once redolent of African-American pride and history—there are lonely streets whose only splash of color appears on the real-estate signs that seem to sprout from every other garden plot.

Patrons of the Florida Avenue Grill worry that D.C., once the incubator of America's black middle class, is now a place from which to escape.

At the end of one of these streets stands the Florida Avenue Grill. From behind the counter of the often-crowded restaurant, Lacey Wilson Jr. has seen the District of Columbia ebb and flow. These days, it's mostly ebbing. Back in 1944, when Wilson's father opened his soul-food restaurant on the corner of Florida Avenue and 11th Street, near the LeDroit Park section of Northwest Washington, the city was a thriving community of educated descendants of freed slaves, flourishing family businesses, and urban sophistication. It was also a magnet of opportunity for blacks seeking to escape rural poverty. At mid-century, wartime Washington offered stable, well-paying white-collar jobs in the federal bureaucracy. People came and put down roots.

Eighteen years ago, when Lacey Wilson Jr. began working at the Grill full time, the neighborhood brimmed with well-kept houses and children playing. Today, the Grill stands alone in an otherwise vacant lot. In the short time since the District was granted home rule in 1974,

Philip Murphy, *an editor at Eagle Publishing, ran last year for a seat on D.C.'s city council.*

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All illustrations by Charlene Rendeiro

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Washington has gone from promised land to no-man's-land. "Most of the families who lived here have moved out to Maryland," says Wilson, himself a refugee to "the peace and quiet" of suburban Virginia. Those who stayed in the neighborhood, according to Wilson, are trapped in houses that have lost 30 percent of their value in the last eight years.

Business used to be better, says Wilson. The vacant lot next door means more taxicabs can park at lunch time, but the crime that holds this city hostage each night has cut his after-dark dinner traffic by half. Proud of his restaurant's permanence in a turbulent world, Wilson stands below rows of signed photos of his famous patrons—athletes, musicians, and local politicians, including a young Marion Barry glowing with promise before dissipation hardened his face and tarnished his reputation as a can-do mayor.

Wilson and his patrons are concerned that Washington, once the incubator of America's black middle class, is now a place from which to escape. After reaching a peak population of 800,000, the city has withered to just 578,000 last year, and the trend has accelerated. Ten thousand residents desert the city each year. Even worse news is who is leaving: the homeowners, the entrepreneurs, the role models—in short, the black middle class. They are leaving for the suburbs, and with every defector, D.C. loses a taxpayer, which shrinks the tax base available for feeding a voracious welfare state that causes more frustrated residents to leave, and on and on.

IN THE MIDDLE-CLASS NEIGHBORHOODS OF WARD 6, THE POLICE PRESENCE HAS BEEN CUT BACK JUST WHEN THE NEIGHBORHOOD NEEDS IT THE MOST.

Census figures reveal that during the second half of the 1980s, 157,100 residents, or one-fifth of the entire population, moved out of the District. About half of those emigrants moved to Maryland and 12 percent to Virginia. According to the Greater Washington Research Center, black households earning between $30,000 and $50,000 a year made up a disproportionate number of these refugees. In their place, affluent, single whites are moving into the city, but not enough to offset the loss. The result is a city rapidly dividing into segregated communities of economic extremes.

Ask people at the Florida Street Grill about middle-class flight, and they'll tell you it is the little things that make life difficult in the District. Thomas Jones, finishing up his lunch before driving back to his job in Virginia, says it costs too much to live in the city. "Not just money," he says, "but time and aggravation." The Grill attracts an unusually diverse crowd for Washington, but there is agreement on one point: The government is no longer a neutral referee for self-sufficient citizens, but a muscular competitor against private enterprise. "For all the forms I need to fill out and all the inspections I'd have to have—and I'm not even talking about the fees and taxes," says one would-be entrepreneur, "why should I do business here? They've got open arms in Maryland. They make it easy there." A discussion soon erupts over the merits of suburban life, including such "innovations" as drive-through car registration, a one-stop business office where permits and licenses are issued, and same-day street repairs. The District, on the other hand, offers a notoriously slow motor-vehicles department, a bureaucracy suspicious of any profitable endeavor, and patchwork streets that haven't seen new asphalt in years.

Wilson, Jones, and a number of other patrons own at least one rental unit in the city—often the place they used to live in. Thanks to the city government, these units are a steadier source of frustration than of income. The District has some of the most stringent rent-control and tenant's-rights provisions in the nation, but instead of helping disadvantaged renters, the laws tend to discourage rental activity. "It's not worth it to rent out your property," says Jones. He tells a harrowing story of a tenant who exploited all the rules to live, rent-free, for more than 16 months. "She had me in court. Never paid me anything, and she had the nerve to sue me!" Wilson and others at the counter nod knowingly. "I'll never rent out again," Jones declares. "After getting it up to code, what with rent control, it takes you 20 years to get your money back."

Behind the cash register at the Florida Avenue Grill stands Edgar Featherson, a native Washingtonian with a quiet, genteel grace that reminds you of the once courtly city. After the lunch crowd dwindles, Featherson drives home through the LeDroit Park neighborhood in the early afternoon. The sidewalks overflow with students

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from the four public schools in the area. The children are a concern to Featherson.

"They don't have the kind of family I was blessed with," he says. He is proud of his education, much of it the result of lessons his mother drilled into him years ago. The world has changed dramatically since then. He tells a story of the time he prepared dinner for his nephew and a friend from the neighborhood. "This boy had never seen anything like it. I made them put their coats away and wash their hands before we sat down," he recalls. "By the end of the night, you know that boy would not leave the house? He never had anyone telling him how to act, never had anyone treat him like a normal child." With a mixture of disgust and guilt, Featherson shakes his head. "This boy was so starved for love, he wouldn't leave."

Featherson's nephew doesn't go to public school. He attends Archbishop Carroll High School in another part of town, partly because parents there are more involved in their children's education than they are in D.C. public schools. "If you don't show up at a parent-teacher meeting at Carroll, you get fined," he says. "They'd never try that in public school." To Featherson, public education is a mechanism for downward mobility, not a ladder out of poverty. "Look at Franklin Smith [the Superintendent of D.C. Public Schools]. He sends his kids to private school. He has a choice and he doesn't even send his own children to public school. Now what does that say about D.C. schools?"

He mentions a news item from the *Washington Times*, reporting that in the seventh-grade "intensive" English class at one of the city's elite junior-high schools, not a single book was assigned to the class during the entire year. "And that's in the best schools," he says. "You can imagine what they're like in the rest of the city."

John Robinson, another Grill customer, founded Black Diamond Industries in 1976 to manufacture stainless-steel kitchen equipment for McDonald's and Wendy's restaurants. He exudes a world-weary optimism. His office is decorated with a yellowed picture of Jackie Robinson and a framed portrait of his mother. Robinson has not left the city yet. "This is where I live, my family is here, my church is here," he says. Still, the thought crosses his mind often.

"Paperwork is my Achilles' heel," says Robinson. "With 20 employees, if I have one person doing nothing but government paperwork, non-income producing paperwork, then I've got 5 percent of my work force doing useless stuff." Robinson complains that he is a good employer in a city that needs private-sector job creation, yet the city ignores his needs.

"The D.C. government doesn't care about my business—they don't see us we're so small—but it's businesses like this, with under 50 people, that are the real job producers," Robinson says. Washington has become something of a private-sector jobs vacuum. Job creation since 1980 has been anemic: 7 percent growth in employment, compared with 40 percent in suburban Maryland and 94 percent in suburban Virginia. Had D.C. managed to create jobs at the national average, it would have generated 80,000 more jobs between 1980 and 1993.

"Small business is about family and the community," says Robinson. "I work here. I live in the city. I hire people from the neighborhood. The government should be encouraging *me*, not just some big corporation. When I complain to the city government, they say 'What's the problem? Every other business can do it. Why can't you?' But I'm not Marriott, I'm not MCI. I can't wait six weeks for an inspection or a permit. I'm out of business in six weeks. I could do about $100,000 more business a year if I didn't have so much paperwork," says Robinson.

The solution to the worst of his problems is simple, Robinson says. "The city should announce tomorrow, 'If you've got less than 50 employees, you don't need a license, you don't need a permit, all you have to do is pay taxes on time.' Just let me go to work. Nothing would make my life easier than that."

If you drive along Minnesota Avenue in Anacostia, you'll see few private businesses. Many of the small outposts of enterprise are liquor stores, and likely owned by Korean-born entrepreneurs. Douglas Kim, a small-businessman and head of the Korean-American Chamber of Commerce, says that nearly a third of all business licenses in the District of Columbia are held by low-capital Korean merchants. Recent immigrants often start up in the more hostile parts of the District. The risks may be higher, but the initial investment required is small compared to the more affluent suburbs. "After six or seven years," says Kim, "they move their business out of the city." Surveys show that 96 percent of all Koreans who own businesses in the District already live in the suburbs.

Koreans are torn between the city and the suburbs, Kim says. The crime rate disturbs them. A recent survey showed that 89 percent of Korean merchants felt the police were "untrustworthy" or "very untrustworthy." But the biggest obstacle to a thriving Korean community in D.C. is the public-school system. "We come here for a better life for our children," says Kim, who lives in Virginia so his children can attend public schools there. "You know, it's the American dream." Kim's wife, who immi-

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grated more recently, is still uncomfortable with the anonymity of the suburbs. "When my boys graduate," he says, "we'll move back to the city, but not now.... If there were excellent public schools in the District like there are in Virginia, all the Koreans would be living in the city tomorrow!"

Many of the D.C. refugees are doubtless fleeing crime and the city government's inability to protect them from it. Don Scoggins, a refugee himself, is a real-estate broker who has helped hundreds flee bleeding neighborhoods. "Crime is more devastating to these communities than racism or Jim Crow ever was," says Scoggins, "but the city officials still think they're leading the civil-rights movement. They'd rather talk about the 'root causes of crime' instead of locking up the criminals."

To Scoggins, a black government worker-turned-entrepreneur, the story is depressingly routine. "The people running D.C. are more concerned with the people who can't take care of themselves," he says, "at the expense of the rest of us, the ones who have made an investment in the city's future."

Joe Corey is a restaurateur in the upscale Glover Park section of Northwest D.C. Though his business required a large initial investment, he's not so different from the Korean merchants across town. When he had a chance to expand his business, he chose to open a restaurant in Virginia instead of D.C. "The taxes are too high, the bureaucracy is a mess," he says. "I told [former city council chairman] John Wilson on a radio call-in show that I wanted to stay in the city, but I couldn't afford the time and effort. You know what he told me? 'Don't let the door hit you on the way out.' Is that anyway to treat a taxpayer?"

It's the small things that make Corey think of leaving town—like the city's passion for writing parking tickets. Most residents will agree that the one thing the government does with breathtaking efficiency is issue tickets. "To them it's another source of income, so sure they write as many as they can, whether they're valid or not," says Corey. Since there's revenue at stake, the city for once turns to the lowest-cost provider, a private corporation called Lockheed Information Management. "The city is so shortsighted," says Corey. "They ticket my customers so they can raise a couple of hundred dollars in revenue, and they drive the customers away. They don't think of the business I'm doing and the taxes I'm paying. My business is worth much more to them in the long run than the few bucks they'll get from parking tickets."

PROJECTS AND SERVICES THAT DO NOT ADD TO THE APPEAL OF WASHINGTON AS A PLACE TO RAISE A FAMILY CAN NO LONGER BE JUSTIFIED.

Corey perceives a hostile climate for business in the District. "They neglect you if you're a taxpaying business," he says. "When I call the city government, I can never get the right person on the phone or the right answer to a question. I can call down there on a Wednesday afternoon and no one answers the phone at all. But if I lose an employee, that guy gets unemployment benefits the next day, and God help me if I make a mistake with unemployment insurance. They're all over me." Corey speculates that career city employees are suspicious of anyone making money. "In this city, non-taxpayers are more privileged than the ones who are paying the taxes." As a result, many businessmen have fled the District, leaving behind an anemic economy in which the *Washington Post* and McDonald's are two of the largest private employers.

For the Washingtonians who have invested their lives in District neighborhoods, there is sometimes no escape. Benjamin Thomas has lived in Benning Heights since 1958. "It's a nice neighborhood, good working people," he says, but for five years the community has been besieged by drug dealers and the murderous outgrowth of their trade. "We're overrun by crime. I heard gunshots just last night and no one will respond." The breakdown of law and order is almost total. "We've got cars driving around here with no license plates, never been inspected, parked anywhere they come to a stop." Overwhelmed by violent crime, the police don't bother to enforce the basic laws that protect a neighborhood from chaos. "We're completely surrounded here," says Thomas. His home is now on a hostile frontier, and he sees little chance to escape. "Where can I go? Even if I find somebody who wants to buy my house, I won't have enough money even for a down payment anywhere else."

Thomas places the blame squarely on the city government. "I've written letters to the mayor, to the city council, but no one ever answers. We're on our own out here." Thomas recalls the city was unresponsive even before the

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neighborhood disintegrated. "I fought 10 years to get a traffic light on Benning Road [a major point of entry to the city], and I never heard a thing from downtown."

As Ray Dickey sees it, the transformation from neighborhood to no-man's-land begins at home. Dickey says he was the first black to move into the North Michigan Park neighborhood, back in 1957. "It starts when parents don't spend time with their kids, and don't let their children's friends in the house." The children eventually get the message that they're on their own, and they grow up not caring about anyone but themselves. "Neighbors don't even talk to each other anymore," says Dickey. "Now I live in a neighborhood of strangers. It's sad."

North Michigan Park suffers from a disorder that no amount of government largess can remedy. "It's not about money," he says. "Money won't fix it. Government can't bring these people together and make them care." Dickey looks for non-government institutions to help bridge the gap, but finds them badly weakened by middle-class flight. "There are 10 churches in this neighborhood," says Dickey, "but they're not *part* of the neighborhood anymore. The people coming to church are all from the suburbs. They come on Sunday for an hour, then leave. The rest of the week, the doors are locked."

A government's main mission is to ensure the safety of its citizens. Yet in the middle-class neighborhoods of Ward 6, the police presence has been cut back just when the neighborhood needs it the most. "I'm trapped in my own home," says Sheila Stamps, a widowed mother of five living in public housing on Capitol Hill. "You can't let children out by themselves, and the playground is littered with intravenous needles." Marion Barry, the newly elected mayor, recently threatened to withdraw the police from Ward 6 unless its city-council representative supported a controversial tax increase. This news brings Stamps to a boil. "You can't touch the police and the fire department. That's public safety. You can't touch that and expect people to stay here much longer."

Stamps knows what's wrong with her city and what to do about it. "There are two things that must be there," she says. "Public safety and good schools." She wants the police to build a substation in her neighborhood so the same policemen can live and work in the area. "We need police here so they can live with the problem, so they'll know what it is like." Stamps also wants school choice. "Any child in this city should be able to go to the best schools," she says. "If they meet the criteria, let them go." She says the politicians and the media people who live in affluent Ward 3 don't want poor black children in their schools. "The president can send his child to any school he wants." she says. All she wants is the same opportunity. "We've got a lot of smart kids down here, hard-working kids. But they don't get the chance."

Based on the liberal premise that poor citizens will always be poor and affluent citizens will always be affluent, the District government is perplexed that middle-class citizens are seeking opportunity elsewhere. After hundreds of tax increases, the city's ledgers are soaked with red ink. Despite employing tens of thousands of civil servants, even basic services are abysmal. The solution parroted by city officials has always been to grant statehood to the District. The reality is that the city government has squandered what sovereignty it has. More than 50 of the city's agencies are under court control, and the District owes $21 million in contempt-of-court fees due to its mishandling of its limited responsibilities.

There can be no solution to the District's problems until the flight of middle-class families is stanched and reversed. That will require the District government to compete with its suburbs to provide the basic services middle-class taxpayers expect. The city can attract new residents by emphasizing public safety and quality public education, and by providing a competitive regulatory climate for entrepreneurs and a low-capital point of entry to the economy. Projects and services that do not add to the appeal of Washington as a place to raise a family can no longer be justified. The city must close the law school of the University of the District of Columbia, which produces no lawyers, privatize the appalling D.C. General Hospital, and lower its tax rates to compete with those of surrounding jurisdictions.

The solution is hardly draconian. Other cities take great pride in performing the basics efficiently. Washington has the advantage of being the kind of city many people would like to live in. But it must first shed its Great Society heritage. The D.C. government has betrayed the very people it was intended to serve. True, it has succeeded in creating an integrated community where African-Americans can live in peace and thrive economically. Unfortunately, that community is just over the District line—in Maryland's Prince George's County.

Why does Featherson stay in the District? "Well, it's like the Grill," he explains. "We've been here so long, for 50 years. I just hope there are some kids who walk by and think, 'They've made it, they've been here through everything, they're proof you can make it if you work hard.' That's why I stay here. I want these kids to say 'If Mr. Featherson can make it, maybe I can too.'"

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PRIDE AND PREJUDICE

Black Business Leaders Ask: Is It Time to Set Quotas Aside?

WARD CONNERLY, DANIEL COLIMON, AND HERMAN CAIN

During the coming year, Americans will begin a serious debate over the meaning and value of affirmative action. Among the early signs:

A proposed ballot initiative in California aims to amend the state constitution to prohibit preferential treatment in public policy based on race, sex, ethnicity, or national origin.

In Georgia, the state legislature considers a bill to end preferences for women and minorities in landing county contracts.

Senator and presidential hopeful Phil Gramm (R-TX) promises that, if elected, he will end major set-aside programs on his first day in office.

President Clinton orders an "intense, urgent review" of all aspects of government affirmative-action policy. Veteran Democratic strategist Susan Estrich says that as far as affirmative action is concerned, "now is truly the time to move on to some other approach."

The Supreme Court may oblige her. In agreeing to hear *Adarand v. Pena*, the Court threatens to reform, restrict, or undo federal set-asides for minority-owned businesses. *Policy Review* asked several black businessmen to describe the impact of race-based government contracting on entrepreneurship, and to offer their own insights into establishing successful businesses in an increasingly competitive market. Here are their stories:

WARD CONNERLY

Of all the terms used to describe America, none is more descriptive (and it is my favorite) than "the land of opportunity." Opportunity, the chance to advance in life, is the centerpiece of our value system. It is this concept that separates us from the rest of the world. For opportunity to have meaning, there must be entrepreneurs, people who are willing to take chances in order to succeed. True entrepreneurs are created not by government, but by God, and their natural talents are stimulated by the marketplace.

In recent years, our nation has begun to debate the effects and consequences of "affirmative action." Affirmative action comes in many forms; some are acceptable, even desirable, such as advertising the availability of contract opportunities in minority communities, and adopting strong measures to ensure that racial and gender discrimination have no place in our society.

Other forms of affirmative action, however, are very damaging to the nation and to those whom such programs and practices are designed to benefit. One of the most odious forms of affirmative action is the concept of awarding contracts on the basis of racial, ethnic, or gender preferences. There are many variations on this theme, but the approach taken in California is fairly representative and instructive.

Several years ago, the California state legislature passed a law requiring every state agency to award 15 percent of all contracts to firms owned by minority business enterprises (MBEs), 5 percent to firms owned by women-owned business enterprises (WBEs), and 3 percent to firms owned by disabled veterans (DVBEs). Minorities are defined as "socially and economically disadvantaged" groups and include blacks, Hispanics, Asians, and Native Americans.

What are the effects of this policy?

First, the prospect of getting government contracts, as a result of belonging to a protected group, is sometimes a false inducement for people to go into business without being adequately prepared to be in business. They often are undercapitalized and lack the business acumen to remain in business without government contracts. This is not itself a sin, but these businesses tend to become an extension of the government agencies themselves. Consequently, the agencies often create contract opportunities to sustain these businesses rather than acting to meet their needs or those of the taxpayers.

Second, the costs and headaches associated with administering the MBE and WBE programs are significant. A bureaucracy of MBE/WBE coordinators has been established in virtually every department of California's state government. This obviously increases the cost of government and creates enormous inefficiencies for companies that do business with the state. There is great inconsistency across departments, and many officials confess that their programs cost more because of these set-aside requirements.

Third, these practices are marginalizing better-established businesses because they are forced to share their contracts with MBE/WBE partners. Few businesses can sacrifice 23 percent from a contract and still make a prof-

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it. I hear the argument that 23 percent is not being taken off the top, but rather the total pie is merely being sliced differently. Sometimes that is true. Our firm, however, is usually able to carry out most portions of our contracts. Yet we must often create a role for those whom we are required to include. This generally means subcontracting for tasks that we could perform ourselves at lower cost. Whenever we take on a state contract, we lose profit, and our private-sector clients bear the burden of our higher prices.

After 22 years in business, I know that government procurement of goods and services is less costly when the specifications are clear and private contractors are able to fit these requirements into their methods of doing business. Whenever contractors have to customize their methods of delivering products, such as aligning themselves with new partners, the cost on a per unit basis of doing business inevitably rises.

Fourth, the quality of the work sometimes suffers. When you are forced into a shotgun relationship with firms with whom you do not regularly do business, it is inescapable that you lose some management control over the project.

Fifth, the policy invites deception. For example, there is evidence that some women or minorities listed as "owners" exercise no control over the day-to-day operations of their businesses. In some instances, the so-called owner rarely sets foot on the premises. How is the goal of equality advanced when, say, a man who has owned a construction business for decades suddenly switches ownership to his wife?

Finally, these set-aside programs are blatantly unfair. Consider my own business. I own 50 percent of the stock issued by my company. My wife owns the other 50 percent. Technically, neither of us "controls" the business, and we qualify for neither MBE nor WBE preferences.

We have chosen not to change the ownership of our business merely to qualify for preferences based on my race or her gender. But why should we operate at a competitive disadvantage just because we prefer to be considered on the merits of our work? How does society benefit when a business established 22 years ago, by individuals who were willing to risk their economic futures, is disfavored in order to lure others to go into business?

Minority set-aside programs are creating all kinds of dysfunction in the marketplace, they are unfair, and they are based on the false proposition that government should be creating business opportunities for women and minorities. What government should be doing is ensuring, through advertising and other forms of outreach, that opportunities are equally available, and then allowing the marketplace to produce the lowest legitimate bids for the goods and services that the government seeks to procure.

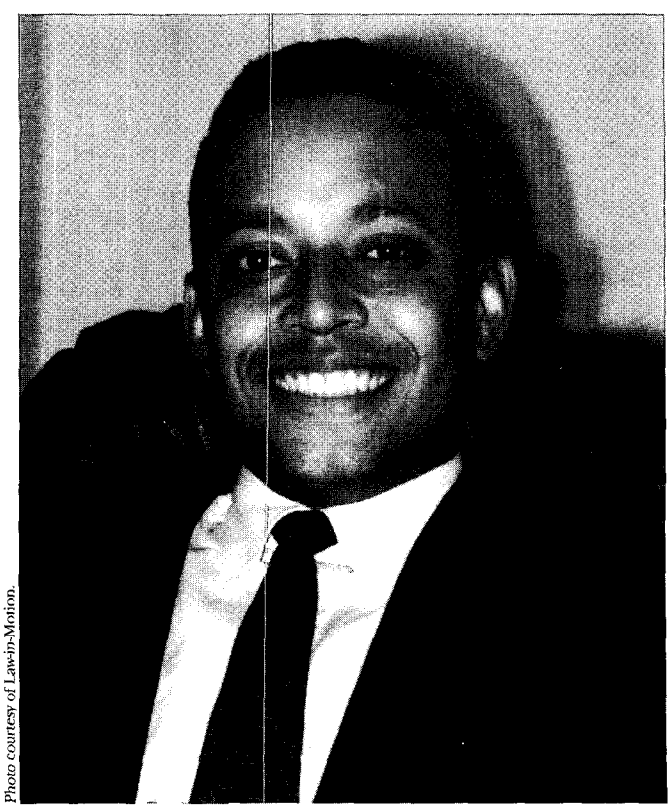

Photo courtesy of Law-in-Motion.

"I HAVE ALWAYS DEMANDED THAT I RECEIVE RESPECT, NOT BY VIRTUE OF WHAT I AM, BUT OF WHO I AM."
– DANIEL COLIMON

WARD CONNERLY *is president of Connerly and Associates, Inc., a Sacramento-based consulting firm. He serves on the University of California Board of Regents and recently testified in favor of the California Civil Rights Initiative.*

DANIEL COLIMON

I operate perhaps the largest black-owned litigation-support firm in California. We have been in business for 14 years, and our clients include at least 200 law firms from Santa Barbara to San Diego. We have never sought a government contract as a minority firm, and federal set-asides for awarding contracts to minority-owned businesses anger me to no end.

After our firm did some work for the legal department of a state utility, one of its officials told me that if we became a certified minority enterprise, they would make us their primary vendor. There was no discussion of the quality of our work—none whatsoever.

They merely needed to rack up points with the state's Public Utility Commission, which requires all state agencies to do at least 15 percent of their business with minority-owned companies.

I said no. Commission officials called me every other week for two and a half months. They warned that if we continued to refuse, they would simply opt for another vendor. They did, and I have since lost 80 percent of their business.

It is time for America to acknowledge that affirmative

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action doesn't work. There are fatal flaws in set-aside programs, which, despite all of the good intentions, hope, and government intervention, have produced very few positive changes. If anything, the white "backlash" to affirmative action has perpetuated the polarization of America's various ethnic groups.

If affirmative action was to be the vehicle by which we travel the road to racial equality, somewhere along the way we lost first the keys and then the map. If affirmative action was to redress past discrimination against African Americans and other racial minorities, it has failed miserably:

- White males dominate the social, political, and business landscape as never before.
- Racial minorities are still largely absent from the private sector's management or executive boardrooms.
- Worst of all, affirmative-action programs have established an extremely damaging stereotype that places African Americans and other racial minorities in a very precarious position. We are perceived as a group of people who—regardless of how hard we work, how educated we become, or what we achieve—would not be where we are without the preferential treatment afforded by affirmative-action programs.

Throughout my life, I have been taught that the best place to look for help is in the mirror. I grew up poor and black and in a single-parent household. I graduated from a predominantly white university. I have worked since the age of 12. I founded an extremely successful litigation-support firm that employs people of all races.

Although I have suffered with the burden of being a businessman who happens to be black, never have I been given nor have I expected preferential treatment simply because I am black. I defy anyone to put an asterisk next to any of my accomplishments. I have always demanded that I receive respect, not by virtue of what I am, but of *who* I am. Conversely, I have always accorded the same treatment to all I have encountered, regardless of race, creed, or national origin.

My personal experiences with affirmative-action programs, in the business community and outside it, have all been negative. It is not popular to be black and opposed to affirmative action. When discussing this with other blacks, I've been told that I have sold out to the white agenda. On the contrary, I argue that we don't need any affirmative-action programs precisely because I believe so strongly in my capabilities and those of all people of all races.

Such programs are not the solution to America's race problem. Truly "affirmative" action should take the form of equal-quality education, which will help lead to equal political access and equal economic opportunity. Additionally, it is imperative that we acknowledge the existence of institutional racial discrimination. Rather than disavowing responsibility for it or wasting 25 years on programs that have not worked, we should aggressively ferret out those who practice clear discrimination and prosecute them.

Only then will we truly be able to say that we have equal opportunity. The measure of this will be a society where people can achieve success regardless of race, where people "will not be judged by the color of their skin, but by the content of their character."

DANIEL COLIMON *is the chief executive officer of Law-in-Motion, Inc., a Los Angeles-based litigation-support firm.*

HERMAN CAIN

When Pillsbury Co. hired me as president of Godfather's Pizza, one of its failing subsidiaries, we couldn't count on a government contract to revive the chain. Not only did we want to rescue the chain from debt and looming bankruptcy; we wanted to have the industry's highest average sales per unit and the highest average profitability per unit. You don't get that without a commitment to quality and an acute sensitivity to your market.

When Ronald Gartlan and I later led a team of other managers to buy Godfather's Pizza, we didn't use a set-aside program. We had to fight and defend and sell the banks on our merit as investors. Our success or failure was based on our own raw business ability.

If there were no federal programs to assist minority

Photo courtesy of Godfather's Pizza

"WHEN I COME ACROSS RACIAL BIAS, I HAVE TO LET MY PERFORMANCE BE MY BARRIER BUSTER."

— HERMAN CAIN

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business owners, the 1 percent of businesses owned by the black community would probably be zero. But federal set-asides are a double-edged sword: Any time you have a guaranteed participation level, you may not have the same incentives or the same motivation to perform as in a situation that is driven by performance. On the other hand, without set-asides, many minorities candidates for contracts, jobs, or services would not even be considered for inclusion.

Remember, you need capital to start a business. The lack of access to capital is the number one reason for the tiny percentage of black-owned businesses. Set-asides do not address the capital issue as it relates to starting, maintaining, and running a business.

One of the most important aspects of being successful is relationship-building. The vendor and the customer have to develop a relationship based on trust and performance. But you can't legislate relationships; set-aside programs won't build relationships between minority businesses and their customers.

As a businessman and as a black American, I know there still exists institutional racism, which tends to exclude people from consideration. As a result, I've practiced several principles to help me achieve my goals:

- Because I am a black American, I've had to perform better than my white counterparts. This is a personal standard that I've set for myself: I've got to perform a little better in order to get the same opportunity. I can't just be as good; I've got to be better. It should not be this way, but it is.
- When I come across those barriers, such as racial bias, I have to let my performance be my barrier buster. That's just the price you pay for success.
- I have to maintain focus and be tenacious in achieving my objectives.

I have been very successful in corporate America because I have refused to allow any of the normal obstacles—and there have been many—to stop me. Part of my success is linked to getting an opportunity, but another part is taking advantage of the opportunity by staying focused. That is something you can't legislate or put in a program.

When I came to Godfather's, I sought the views of the management, the operations people, and the franchises on how we got into the mess we were in and how we could get out. By focusing on our strengths and on the market niches where we could win, we embarked on a path to recovery. In just over a year—and against intense competition—store sales increased about 10 percent, with some restaurants running as high as 25 percent. More important than the numbers, however, is the fact that over the last several years we have built a foundation for sustained profitability.

"MINORITY SET-ASIDE PROGRAMS ARE CREATING ALL KINDS OF DYSFUNCTION IN THE MARKETPLACE."
— WARD CONNERLY

I'm a firm believer that we are put on this earth to make a difference. I happen to have been blessed in that I have achieved some business success. But what's truly important to me is that I'm able to use the position, compensation, and incentives that go along with business success to help make a difference in other people's lives.

HERMAN CAIN *is the president and chief executive officer of Godfather's Pizza, with more than 525 restaurants nationwide. He is the current president of the National Restaurant Association.*

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COMING AFTER U.

Why Colleges Should Fear the Accrediting Cartel

THOMAS E. DILLON

A tiny "Great Books" college in California, tucked away in a mountain meadow, would seem an unlikely minuteman in a struggle for the academic liberty of America's colleges, universities, and professional schools. But so it is. Thomas Aquinas College, named for the 13th-century Italian saint and patron of Catholic education, was among the first to resist the imposition of non-academic standards by regional accrediting agencies. Now the accreditors, who grant a scholastic seal of approval—and with it, access to federal assistance—are hoping to consolidate and centralize their power over dissident institutions.

Armed with an agenda that includes politically correct notions of "diversity," an alliance of accreditors and Washington-based educrats is trying to establish a national accrediting body that would oversee every institution of higher learning in the country. No school that receives federal money would be immune from attack: By threatening to withhold accreditation, and thereby close off millions of dollars in government loans and other assistance, a centralized body could impose a political agenda at will.

ACCREDITING AGENCIES ARE THREATENING TO BECOME THE GUARDIANS OF AN IDEOLOGICAL AGENDA.

This is precisely the lesson in the recent flap over the Accreditation Council for Graduate Medical Education, which insisted that medical schools require training in abortion procedures or else forfeit accreditation.

If the move toward a centralized accrediting body succeeds, the private, collegial character of the review process will be in peril. Advocates of diversity and multicultural standards instead will be pitted against institutions striving to preserve high academic standards along with their own distinctive missions. The autonomy and quality of these institutions will be put in jeopardy.

This is not a hypothetical fear. The Accreditation Council for Graduate Medical Education, a nationwide agency, recently voted for ideological reasons to deny accreditation to any obstetrics and gynecology program that fails to provide mandatory training in abortion procedures. A similar imposition of ideological mandates could occur if accreditation of colleges were centralized in one monopolistic organization.

Accreditation has long been a valuable process in higher education. Until recently, it has involved private, professional peer review to make sure that colleges and universities actually provide the quality of education they claim to provide. Now proponents of "diversity" are using the process to impose politically correct educational standards on institutions striving to preserve their distinctive missions. In the name of advancing diversity within each institution, they are imposing their own version of conformity and threatening true diversity among institutions. At stake is America's historical commitment to the integrity, quality, and independence of its colleges.

THE AQUINAS MODEL

Since its founding in 1971, Thomas Aquinas has offered only one kind of degree: a bachelor of arts in liberal education. Our curriculum is composed of the seminal books of Western civilization, and we are unabashedly Catholic. There are no majors, minors, or electives. There are no textbooks; we rely only on the original works of those who have thought deeply about man, nature, and God. There are no lectures; we hold seminars in which professors guide students toward an understanding of the authors before them. With its clear and distinctive academic vision, the college offers an exemplary version of a classical liberal education.

We pursue no "affirmative action" for persons or texts. We look for the best teachers, the best books, and students willing and able to undertake the life of reason. As Catholics, we hold that one intellectual tradition is superior, and we ask our students to study in that tradition, as well as to read prominent critics of that tradition such as Marx and Nietzsche. We are not about the study of "culture," as the word is used today; we will not base our cur-

THOMAS E. DILLON *is the president of Thomas Aquinas College.*

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Photo courtesy of Thomas Aquinas College

OUR CURRICULUM IS COMPOSED OF THE SEMINAL BOOKS OF WESTERN CIVILIZATION, AND WE ARE UNABASHEDLY CATHOLIC.

riculum on authors consciously selected for their race, gender, or sexual orientation. Whether the author is St. Thomas or Machiavelli, however, we are studying not the man, but what he has to say about the true, the beautiful, and the good.

Until the 1980s, schools such as Thomas Aquinas thrived under the nation's six regional accrediting agencies for senior colleges and universities. These accreditors respected their members' independence and judged them in light of their professed missions. Countries like France, with their centralized ministries of education, would not allow such an enterprise as this. America does, thanks to its tradition of non-governmental accreditation.

The latest mutation in the accreditation process is a story that we at Thomas Aquinas College know only too well. Every college and university in the United States must periodically submit to a review by one of these private accrediting agencies. Without accreditation, schools lose academic credibility among their peers.

The process in the United States has always been largely in the hands of private organizations of accredited schools. After World War II, however, the G.I. Bill and the growth of federal aid programs prompted the agencies to take on the additional role of approving colleges as the recipients of such funds. And as the gatekeepers of federal funds, the agencies in turn had to be approved by the U.S. Department of Education.

As schools became more dependent upon federal funds, the character of the accrediting agencies gradually changed. Control over funds gave them great leverage over colleges and universities. They became less collegial associations of institutions that testify publicly to the worthiness of a college, and more the rulers and regulators of these institutions. Now they are threatening to become the guardians of an ideological agenda and to advocate diversity standards and politically-correct curricula.

Diversity over Quality

By 1988, with the rise of multiculturalism in academia, the threat was emerging in California. Our accreditor, the Western Association of Schools and Colleges (WASC), began promoting more prescriptive standards. These included the following language: "The institution demonstrates its commitment to the increasingly significant role played by diversity of ethnic, social, and economic backgrounds among its members by making positive efforts to foster such diversity."

Stephen Weiner, the executive director of WASC, wrote in the *Chronicle of Higher Education* that WASC's expectations for diversity "affect virtually every aspect of campus life, and, therefore, each of our accrediting standards." In one document, the new diversity policy is called "the cornerstone of a major new thrust." In other words, standards of integrity and academic quality no longer would form the sole basis for accreditation.

The new policy was part of a national movement among accreditors to leverage their influence over federal funds on behalf of the cause of diversity. Specifically, the accreditors wanted to mandate race and gender preferences in hiring and admissions, as well as multiculturalism in the curriculum, on the grounds that they are intrinsic to academic quality.

Colleges and universities began to worry about accreditation's new thrust. This concern was not without foundation. One school discovered that WASC evaluators were soliciting racial grievances from the faculty of a neighboring college. Another was told, in writing, that it had "failed to grasp the concept of diversity" and that its curricula would have to be "restructured." A third was ordered to alter the composition of its board of trustees and told that a religious profession required of its faculty was "not in conformity with [WASC's] expectations."

Colleges where multiculturalism, feminist studies, and the like had been matters of internal dispute, to be resolved internally, became vulnerable to meddling by outsiders with a political agenda. Moreover, the traditional purposes of accreditation—frank, collegial criticism and public avowal of academic integrity—were undermined by the mistrust generated by this new agenda.

The threat to our college was plain. If WASC meant what it was saying, it could not, in principle, accredit our college. In the eyes of the accreditors, Thomas Aquinas College is multiculturally incorrect.

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In a lengthy struggle, Thomas Aquinas College confronted WASC's usurpations. We rejected the diversity standards when we came up for reaccreditation in 1992. The accrediting team of scholars sent to visit the college came away impressed with our high academic standards; in response, WASC reaffirmed our accreditation for eight years. When WASC circulated to its members a policy statement purporting to clarify its brief and vague standards on diversity, Thomas Aquinas College took the lead in raising objections and mobilizing opposition. Other institutions, including the California Institute of Technology, the University of Southern California, and Stanford, joined us in expressing alarm at the WASC statement. Although WASC formally adopted that controversial statement, it now requires colleges only to "thoughtfully engage" the issue of diversity.

The Empire Strikes Back

Unfortunately, the story does not end there. Education lobbyists and bureaucrats, led by Robert H. Atwell of the American Council on Education, are launching a counteroffensive. Atwell co-chairs an ad hoc group called the National Policy Board on Higher Education Institutional Accreditation (NPB), which advocates a national accreditation organization to police the regional groups and any possible competitors. It is being packaged as a way to resist federal regulatory overreach into academia. Don't believe it.

NPB is proposing an organization with unprecedented accrediting clout. It would set national standards for all institutional accreditors—in effect, all the agencies that the Department of Education uses to determine eligibility for federal money. The organization would be both "more specific" in its standards and "more rigorous" in its processes. It would establish its own budget, levy dues to be collected by the regional accrediting agencies, and wield the authority to impose sanctions against accrediting agencies that fail to enforce its standards. This would be the closest thing the nation has ever had to a national ministry of education.

How would Thomas Aquinas, or any college with a distinct mission, fare under such a scheme? What would happen to the quality of American higher education?

The answers are clear from the proposed organization's core standards, which include diversity. There is good reason to believe that this new board would promote diversity standards nationwide. In fact, the very existence of schools grounded in a clearly defined academic philosophy would be at great risk. Atwell has written that "diversity among institutions does not satisfy the need for diversity within institutions." In other words, colleges and universities whose curricula are specifically dedicated to the "great books," a traditional liberal-arts curriculum, a theological focus, or any other coherent body of belief would be subject to the multicultural whims of a remote bureaucracy.

Such diversity also could be applied to the internal, everyday workings of all institutions that rely upon accreditation: student and faculty composition, trustee membership, allocation of resources, and on and on. Atwell has advocated a "comprehensive approach that encompasses the makeup of the faculty, student body, and staff; the curriculum offered by the institution; and the climate on the campus itself." Such a vision invites not diversity, but rather a leveling of the very differences in academic emphasis and philosophy that have helped create the finest educational non-system in the world.

Opposition to the new accrediting entity is growing. Among others, American University, Boston University, Baylor, Caltech, Holy Cross, John Hopkins, Pepperdine, Rice, Stanford, Smith, the University of Dallas, the University of Southern California, the University of Missouri, and the University of Vermont all oppose the plan. Congressmen William Goodling (R-PA), chairman of the House Economic and Educational Opportunities Committee, and Howard McKeon (R-CA), chairman of its higher education subcommittee, have written to Education Secretary Richard Riley: "We would certainly oppose any attempt to use accreditation...to impose stan-

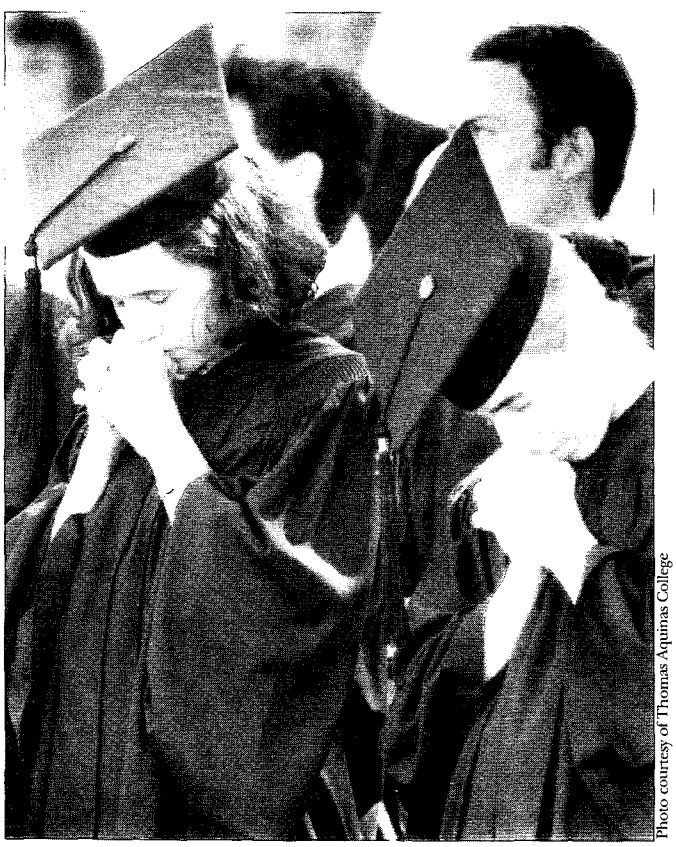

Photo courtesy of Thomas Aquinas College

A CURRICULUM DEDICATED TO ANY COHERENT BODY OF BELIEF WOULD BE SUBJECT TO THE WHIMS OF A REMOTE BUREAUCRACY.

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dards unrelated to the fiscal interests of American taxpayers which could force schools to change their nature or their mission."

It is not enough, however, to defeat the nationalization plan or fight WASC to a stalemate. A genuinely open and collegial system of accreditation, one that allows governments to catch fraud and abuse and yet steers clear of political correctness, is clearly needed. Like most college presidents, I would prefer to devote my energies to the growth and prosperity of my college, to its unique curriculum, and to its ardent, inquiring students.

My experience with accreditation leads me to suggest a policy of decentralization and reform to protect the diversity of ideas, programs, and institutions that has served our republic so well over centuries.

An Outline for Reform

First, it is essential to restrain the federal government's impulse to govern higher education. The federal government may want to promote college and university education, for example through subsidies for student loans. But federal aid should permit individual students and their families maximum choice, and leave schools free of burdensome and possibly ideological regulations.

Liberal education, with its historical roots in religion and philosophy, deals in those ultimate questions that the American political tradition leaves to associations other than the government. That is why, when the G.I. Bill provided federal dollars, the gatekeeping function was assigned to non-governmental accrediting agencies.

Second, non-governmental accreditation in its present form—regional monopolies like WASC—should confine itself to screening out incompetence and fraud. An accrediting agency is not, and cannot be, purely private, since it can shut off federal money. Recognizing this power, it must show proper restraint. In the short run, such a modest role, in which any criticism is non-binding, is less open to abuse than any form of regulation, particularly regulation by state governments, which sometimes serve as strongholds of the diversity forces.

The most lasting way to forestall abuse is to break the monopoly. Federal policy should therefore favor the formation of high-quality, alternative accreditation agencies, perhaps tailored to institutional types: research universities, liberal-arts colleges, or, to address the latest outbreak of academic intimidation, pro-life medical schools. Such agencies, being genuinely voluntary, can better accommodate their members than one-size-fits-all monopolies whose standards must measure institutions as diverse as institutes of psychology, comprehensive universities, liberal-arts colleges, and research universities. Colleges would have an incentive to earn recognition from truly independent, private accreditors, since their approval would mean something. The resulting competition and emulation would promote quality much more effectively than the present system.

Third, a limited intervention against rogue accreditors who misuse their delegated powers can be useful, at least until the monopolies are effectively broken. One instance of prudent intervention occurred when Lamar Alexander, then U.S. Secretary of Education, restrained the Middle States Association of Colleges and Schools when it tried to bully Baruch College and Westminster Theological Seminary into accepting diversity standards. But it is better to fashion one's own freedom, as we have tried to do within WASC, or as would result from the emergence of alternative accreditors.

Centralization of regional accreditors is exactly the wrong way to go. It was an enormous labor for us to alert some of the 145 schools in WASC to the threats posed by regional bureaucracy. I seriously doubt that a stronger bureaucratic organization based in Washington, D.C., with a membership in the thousands, could ever be moved with a similar effort.

I understand the desire for accountability when federal funds are involved, and I understand the natural ambition on the part of the new Congress to reform from the top down, but I think it should be resisted. We should remember what happened to the national history standards in Goals 2000. First proposed by Lynne Cheney, the head of the National Endowment of the Humanities under President Bush, they were hijacked by the educators commissioned to execute the project. At the same time, we should move to prevent the centralization of the accrediting process.

The existing national educational bodies that offer to implement reforms tend to support fads like the diversity movement, and will try to regiment independent schools. Such centralization brought us mandatory training in abortion procedures among accredited medical schools.

We must not set up a shadow national ministry of education under the guise of privatization, efficiency, or better standards.

Its bureaucrats will be no better than government bureaucrats, and even less accountable. Above all, colleges and universities will merit the trust of the public and the government if they hold true to the timeless standards enunciated by St. Thomas Aquinas seven centuries ago: "The study of philosophy is not directed to the various opinions of men, but to the truth of things." Truth, not diversity, is the goal of education.

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Hire Education

An Affordable College That Sets the Standard for Career Training

Stephen Glass

Speaking in Galesburg, Illinois, in January, President Clinton proposed a federally funded job-training program "to keep the American Dream alive in the 21st century." Cost to American taxpayers: $3.5 billion a year.

If he had driven about an hour north, Clinton could have visited a college campus that proves his program is unnecessary. DeVry Institute of Technology, headquartered in Oakbrook, Illinois, makes a handsome profit by offering a first-rate technical education to working-class students. This little-known school shows how private businesses outperform government in providing good job training.

On 13 campuses from Atlanta to Los Angeles, more than 15,000 students—35 percent of whom are black or Latino—are earning their bachelor's of science degrees at DeVry. Ninety-four percent of the school's graduates land jobs in their fields of study within six months, with an average starting salary exceeding $24,000 a year.

THIS LITTLE-KNOWN SCHOOL SHOWS HOW PRIVATE BUSINESS OUTPERFORMS GOVERNMENT IN PROVIDING GOOD JOB TRAINING.

DeVry's alumni enjoy cutting-edge technical careers. At Hughes Communications, the nation's largest satellite company, 22 of the 30 engineers responsible for orbit maintenance are DeVry graduates. KLA Instruments, which designs quality-control systems for the manufacture of microchips, boasts that a fifth of its 1,000 employees graduated from DeVry. All this at an annual cost per student of $2,500 less than similar state-run programs.

And DeVry posted a $12-million profit on revenues of $211 million last year to boot.

Selling Job Opportunity

Since its founding in 1931 by Herman DeVry, the inventor of the portable motion-picture projector, the institute has specialized in technical training that leads to lucrative careers. DeVry, which grants accredited bachelor's degrees, is a for-profit venture whose stock trades on the NASDAQ exchange. In short, it sells job opportunity.

Five years ago, when Zaneta Rizzo graduated from a small high school in rural Louisiana, she "knew less than nothing" about computers, thought DOS was pronounced "dose," and was terrified of automatic-teller machines.

After two years of bouncing among jobs in fast-food restaurants, Rizzo enrolled at DeVry's Dallas campus. Recently she graduated with a bachelor's degree in computer information systems and is deciding between several job offers with computer-training firms. Before DeVry, Rizzo's salary peaked at $760 a month. Her current offers are for $25,000 a year—a 275 percent pay hike.

When Jeri Gomez graduated from high school near Fresno, California, she enrolled in a local community college to study the health sciences and dance, but classes were constantly being canceled, so she enlisted in the army. After serving in Desert Storm, Gomez enrolled at DeVry's Pomona campus. She is now deciding among several job offers in software programming that pay more than $30,000 a year.

Rizzo's and Gomez's stories are typical of DeVry students, many of whom field multiple job offers before their commencement. In fact, more than 95 percent of engineering and accounting majors are placed in their fields within six months of graduation—a success rate many of the nation's top schools never approach. How does DeVry do it? By running the college like a business.

Unlike most colleges, DeVry receives no direct government money or alumni gifts. Nearly all revenues, and therefore profits, come from tuition. And DeVry has found that the best way to attract more students—over half of whom are the first in their families to attend college—is to secure high-paying jobs for graduates. Dennis Keller, DeVry's chief executive officer, says the school

Stephen Glass *is the assistant editor of* Policy Review.

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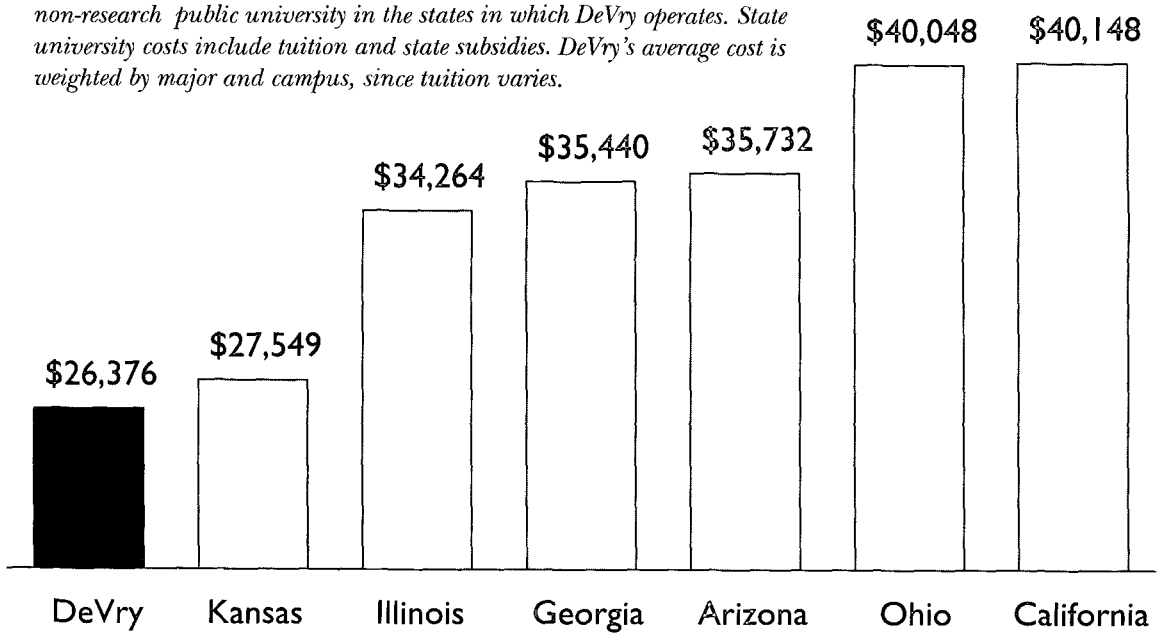
Total Degree Cost

This chart compares the average cost of an in-state bachelor's degree at a non-research public university in the states in which DeVry operates. State university costs include tuition and state subsidies. DeVry's average cost is weighted by major and campus, since tuition varies.



Source: DeVry Institute and state boards of higher education.

Chart by Julie S. Davis

avoids anything that doesn't help students find careers.

To this end, DeVry maintains an enormous placement system with more than 100 staffers and a database of thousands of employers. While most other schools in the country assign placement officers to handle a broad spectrum of careers, DeVry has found that employers prefer to communicate with staffers who understand their particular needs. For this reason, each officer is trained in a specific field. For instance, Motorola—which is based near DeVry's DuPage County campus in northern Illinois—works closely with staffers specializing in telecommunications. The payoff has been tremendous. When the electronics giant was planning a major expansion in Illinois, it consulted DeVry placement officials in advance to secure an educated labor force.

DeVry also edges out the competition by studying labor trends, nationally as well as in the local markets near each campus. DeVry does not depend on the federal government's research, which is mostly retrospective; its researchers analyze new and growing fields. Using data from interviews with small and large employers, annual alumni surveys, and more than a dozen local-industry advisory panels, DeVry graduates can target rapidly emerging areas that traditional schools miss. Relying on data from the Bureau of Labor Statistics, for instance, most colleges until recently paid little attention to the cellular industry. DeVry officials, on the other hand, adjusted their telecommunications curriculum eight years ago to include this technology, and subsequently launched the careers of many graduates. "Health care is the next big one," says Norman Metz, a senior vice president at DeVry. "We are currently focusing on the medical-equipment industry that will handle the graying of America."

Despite these unsurpassed placement results, the Clinton administration has frowned upon for-profit schools like DeVry, insisting the capitalist model leads to a useless education. At a 1993 press conference, Labor Secretary Robert Reich told journalists to be wary of these institutions, claiming that they mismatch thousands of students, and that there is no market for their degrees. Reich's warning was reiterated by the media, including the *Cleveland Plain Dealer*, which urged some for-profit schools to carry "warning labels" detailing prospective students' chances of finding employment after graduation. In fact, if many state schools had to publish such information, students would likely flock to DeVry.

Blood, Sweat, and Jobs

Some for-profit trade schools, to be sure, are little more than diploma mills that give gullible students a shlock education. These schools usually go bankrupt when students catch on that their degree leads nowhere. But for an institution that is in business for the long haul, producing high-quality education for satisfied customers is essential to growth and profitability. Keller believes that every graduate represents the school: If an employer is unsatisfied with the quality of a single graduate's work, he is unlikely to hire from DeVry in the future. That would ultimately harm the bottom line.

To that end, the school maintains a demanding curriculum that students call "brutal" and Keller calls "tough love." It is a no-frills, lots-of-sweat education. The rigorous process begins even before the classes start. Although the school accepts SAT and ACT test scores—applicants average at the 45th percentile—all students are required to take DeVry's admissions test in math. About 14 percent of

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the applicants fail the exam. Of the remaining students, about a quarter are admitted on the condition that they take remedial classes. Applicants are also required to take a College Board English test that determines their placement in humanities courses.

From the first day, students follow the curriculum in lockstep. There are no electives. Students immediately choose a major from among five fields: electronics-engineering technology, computer information systems, business operations, telecommunications management, or accounting. Each major requires eight or nine semesters, and can be completed in three years with summer school.

Students and DeVry's senior management both prefer this inflexible system. Like a manufacturer, the school desires a reputation for providing a consistent "product"; students say they enjoy receiving firm direction. "This gets rid of a lot of the time-wasting filler classes, like underwater basket-weaving, that people take elsewhere," recalls Rose Huening, a 1986 graduate.

Heavy Lifting

Here there is no time to waste. Each term, DeVry students take at least four classes, plus labs, often exceeding a conventional courseload by four to six credit hours. The first-year courseload for computer information systems is typical: five computer-science classes, four computer labs, two math courses and a math lab, two English courses with one writing lab, an economics course, a psychology course, and a business course. In addition, since many of the students have never before been pushed to work so hard, all freshmen enroll in a class on "success strategies," which teaches study skills and time-management techniques.

George Dean, the vice president for educational planning, believes that many traditional colleges waste a great deal of energy embracing new teaching methods. DeVry doesn't mandate teaching methods—professors can choose whatever textbooks they want—but the level of academic expectations is set at the head office, and it's set high. "At the end of the course, the students have to be able to do x and y and z," Dean says. "If it works better at the Columbus campus to teach it z then y then x, it doesn't bother me."

Dean is comfortable giving the professors ample latitude because they are required to gain real-world experience in their field, and so tend to prefer the most practical methods. Although some students earn money for tuition by assisting faculty members, they are prohibited from teaching, and are usually limited to grading papers.

Unlike trade schools that teach specific skills (many of which become obsolete as technology changes), DeVry's curriculum focuses on teaching students how to reason. In many ways, DeVry offers the liberal-arts version of a technical education: students learn how to solve technical problems. They are drilled thoroughly on the basics, and required to spend countless hours in the lab to build an educational foundation. On exams, students are rarely asked straight-forward mathematical questions; instead, they are usually given detailed descriptions of real-world problems, including information they must recognize as extraneous. Dean claims that this education prepares students to operate efficiently in the business world. Furthermore, teachers will fail students whose lab reports are not written in proper English, regardless of the experiment's outcome. DeVry doesn't shortchange the humanities, because these non-technical abilities will be vital to the students' careers. Alumni routinely tell Dean that the technical skills get them hired and the reasoning skills get them promoted.

A student with a grade point average below a "C" is placed on academic probation, and prohibited from taking a relaxed schedule. If the student's g.p.a. remains below a "C" average the following semester, he or she is expelled. Every year, 20 percent of the student body

DeVry graduates go on to jobs at firms like GE Medical...

...Ford Motor Co....

Photos courtesy of DeVry Institute

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flunks out. DeVry does not pamper its students en route to the diploma. "We have hard classes, but if that is not met with enough commitment to be successful, then it is detrimental to this company for that student to stay," Keller says. Huening's class is a perfect example: of the 325 students who started, only 94 graduated on time.

Just as auto manufacturers are constantly reviewing the efficiency of their cars, DeVry maintains strict quality control. About a decade ago, DeVry was reviewing each course every three years, which was considered swift compared to traditional schools. Now it rewrites each course at least once a year. During the summer term, faculty members visit hundreds of employers across the nation and find out what their needs will be in five to 10 years. Together with information offered by industry leaders on DeVry's dozen or so curriculum-advisory boards, the school sets new course requirements. For instance, a few years ago most computer-programming courses only taught a programming language called COBOL, but professors noted that firms near some of their campuses were switching from mainframes to desktop-based systems that require C language. After DeVry adjusted its curriculum, businesses responded by hiring more of its graduates. Although industry does not dictate DeVry's curriculum, the school must measure success and failure by its placement rate.

The institute's educational audit is exhaustive. DeVry's central headquarters evaluates randomly selected writing samples from students on every campus twice a year in order to ensure that writing skills remain high. The institute also administers standardized tests in electronics to be certain that technical skills are not dropping. Finally, administrators also investigate courses with unusual grade distribution.

The best evidence of the quality of DeVry's curriculum is the on-the-job success of its graduates. Bill Buglewicz, a senior manufacturing manager at KLA Instruments, recruits at six of the campuses every year. "DeVry students have a great work ethic, higher motivation, and initiative," Buglewicz says. "The courseload, in particular the exhaustive lab work, makes them wonderful thinkers and troubleshooters."

Gary Nuzzi, a 1983 graduate, says the lab work helped him and 1963 graduate Bill Blethen develop a revolutionary lighting system that won an Academy Award for technical achievement last year. The portable strobe light allows movie cameras to capture detail at high speed. "The education was, at times, very challenging, but very practical," Nuzzi adds.

The Bottom Line

Most remarkable, however, is that DeVry makes a profit. By defining its mission narrowly, the school has perfected its product and minimized waste. DeVry's cost-saving efforts are immediately evident. There are no ivy-laden academic halls or rolling greens. Rather, each DeVry campus holds its classes in an office building that is usually surrounded by a parking lot. In such a modern facility, little space is wasted, maintenance costs are moderate, and classrooms can accommodate professors from various departments. And the school runs three cycles of classes—morning, afternoon, and evening—to use the space more efficiently. The institute does not own any dormitories. Instead, DeVry leases housing near its campuses from local landlords and sublets it to the students at a modest profit.

DeVry also holds down costs by maintaining a narrow academic focus. DeVry does not fund any sports teams or clubs that are not directly related to job placement; on some campuses, students independently run intramural leagues by securing outside sponsors. "We are not trying to be all things to all people," says Kathy Perdue, head of the accounting department at the Atlanta campus. "We figured out what we do best, concentrating on the acade-

...IBM...

...NASA...

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mics to get jobs, not filling social needs."

The school does not grant tenure to any of its professors, allowing it to respond quickly to fluctuating enrollments. Moreover, DeVry is not a research or publishing institution, so faculty members carry teaching loads two to three times that of other college professors. Finally, since the school operates at full capacity, even in the summers, professors are expected to work as they would in private industry: year-round.

DeVry maximizes tuition revenue by actively recruiting students through television and newspaper advertising, direct mail, and recruiters. A traveling sales force of 200 visits high schools and Army bases throughout North America, while another 100 salespeople respond to applicants who call DeVry in response to advertising. DeVry's $15-million advertising campaign promotes its focus on careers, profiling graduates with senior positions in prominent companies like Coca-Cola.

The individual cost-saving measures add up. The price tag of a DeVry education is $6,015 for two semesters, or $26,730 for the complete degree. By comparison, a four-year degree at public, non-research universities in the same states where DeVry operates costs much more in tuition and taxpayer subsidies: $40,148 in California, for instance, and $35,440 in Georgia.

As an accredited school, DeVry participates in all the same financial aid programs as public schools. DeVry's loan default rate is 17 percent—better than many for-profit trade schools and far below the government's intervention zone of 25 to 30 percent. Industry analysts note that the institute's job placement record and bachelor's degree program distinguishes it from trade schools.

For-profit schools such as DeVry are a model for the future of university education. As more adults return to school later in life, they will find they prefer the no-nonsense DeVry degree, which can be finished in three years. Currently the average age of DeVry students is 26. In addition, the number of high-school graduates is expected to keep rising through 2013. Combine that statistic with downsizing in the military, for-profit education's top rival for high-school graduates, and DeVry seems to enjoy a rosy outlook. In fact, the results are already beginning to show: Enrollment was up 4 percent this year, and the company added two new campuses. "Frankly, the demand is growing quicker than our ability to supply it," says Norman Levine, DeVry's chief financial officer. And two other for-profit college-education companies announced initial public offerings this year.

Despite DeVry's proven track record in securing jobs for working-class students, bureaucrats may prevent the school from expanding. In New York City, for example, the state's department of education has not yet approved DeVry's 1993 accreditation application. Once the department okays the school's academic standards, government analysts will determine DeVry's impact on established local schools. Every college in New York City will be invited to comment on DeVry's entrance into the market. If area schools fear DeVry will steal students from their tuition rolls, they can urge the department to reject the application. The Education Department's Bureau of Planning will also analyze whether the local job market can accommodate the future DeVry graduates. Department officials note that, due to understaffing, it normally takes several years for a school's 300-page application to be approved.

Even skeptics of for-profit education concede that public schools and private non-profits are unable to expand to meet the growing demand. Public universities would require greater tax subsidies to support a larger student base, and private non-profits would have to raise even more through alumni giving. "Time and time again, we have seen that the healthiest and best systems in the world involve private enterprise competing," says Keller. "We're the future of education." ☎

...Boeing...

...and El Paso Air Quality Control.

Photos courtesy of DeVry Institute

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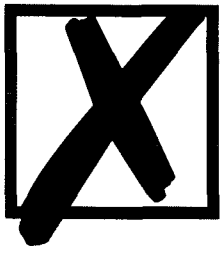
Markets, Welfare and the Failure of Bureaucracy



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THY NEIGHBOR'S RAP SHEET

How Do You Know Whether a Killer Lives Next Door?

TUCKER CARLSON

On New Year's Eve 1975, after an evening of taking LSD and watching cop shows on television, 15-year-old Raul Meza showed up at a convenience store near his house in Austin, Texas, armed with a deer rifle. Meza emptied the cash register, then marched the clerk, a 20-year-old college student named Derly Ramirez, into the walk-in freezer. Meza shot him in the back and left him for dead.

Ramirez recovered to testify against the man who wounded him. Meza received a 20-year sentence, and served five years before getting out on parole.

On January 3, 1982, months after his release, 21-year-old Raul Meza abducted Kendra Page, a third-grader, as she rode her bicycle near her home in southeast Austin. Meza tortured, raped, and strangled the girl, then left her body behind a dumpster. Three days later, he surrendered to the police. Meza received 30 years for the killing.

While behind bars, Meza racked up demerits for various infractions, and four years were added to his sentence after guards found a knife in his cell. Meza came up for parole seven times, and each time it was denied.

MOST FELONS LEAVE PRISON WITH LITTLE FANFARE. THEY SOON RE-ENTER SOCIETY AND BECOME ANONYMOUS.

By 1993, however, prison authorities could keep Meza no longer. Under Texas law, he had accumulated enough credit for good behavior to qualify automatically for release. The state freed him under mandatory supervision, a conditional release not unlike parole that can be granted without the consent of the parole board.

No matter how notorious, most felons leave prison with little fanfare. They re-enter society quietly and soon become anonymous. Some begin new and honest lives. Many others, freed from supervision and accountable to no one, commit new crimes. Raul Meza might have regained his freedom in the same way. But he never got the chance. One hundred and forty miles from Meza's Huntsville prison cell, an Austin newspaper editor decided to make him famous.

In 15 years of covering crimes, Jerry White, the city editor of the *Austin American-Statesman,* had watched scores of criminals disappear from public view after sentencing. Most of them left prison years before their sentences expired, often to rob, rape, or kill again. "It became apparent," says White, "that even though these folks are sentenced and sent away, the story doesn't really end." White began compiling a list of inmates who were "fairly notorious" in Austin. Every few months, he called the department of corrections to ask when inmates on his list would be eligible for parole.

In June 1993, the department of corrections confirmed that Meza was due to be released soon. Using the state's Open Records Act, the newspaper petitioned Texas's attorney general and found where Meza planned to live. An article ran on the front page of the Sunday paper eight days before Meza's release. The headline read, "'Nothing's Going To Stop It': Killer of 8-Year-Old About to be Freed."

In a city of about 465,000 people, the story reached 240,000 homes and provoked an outpouring of media attention. Film crews greeted Meza as he walked out of the state prison and followed him for months. Publicity, mostly bad, seemed to trail him everywhere. Corrections officials moved him from town to town, but in each residents and local politicians protested his presence. Colin Amann, a Houston lawyer who represented the killer after his release, says angry citizens "kicked him in the butt from one end of Texas to the other."

For much of 1993, Texans kept on kicking. Over several months, he was shuttled between towns and cities all over the state. Of the 276 halfway houses that were asked to accept Meza, 271 refused. "Every town he went to," says Amann, "people were just screaming and yelling. Lots of small communities went out and bitched about it. A lot.

TUCKER CARLSON *is a Bradley Fellow at The Heritage Foundation. This article is adapted from a chapter of his forthcoming book on community crime control.*

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And it happened every time they'd move him, they had the same outcry."

In August, the parole division placed Meza on his grandparents' farm, west of San Antonio. On August 31, local sheriffs charged Meza with "terroristic threatening" and disorderly conduct for bullying his elderly grandparents. A judge later dismissed the charges, but the incident made nearly every newspaper in Texas. At least 1,000 local residents signed a petition asking the state to move Meza again. The parole division sent him to Austin.

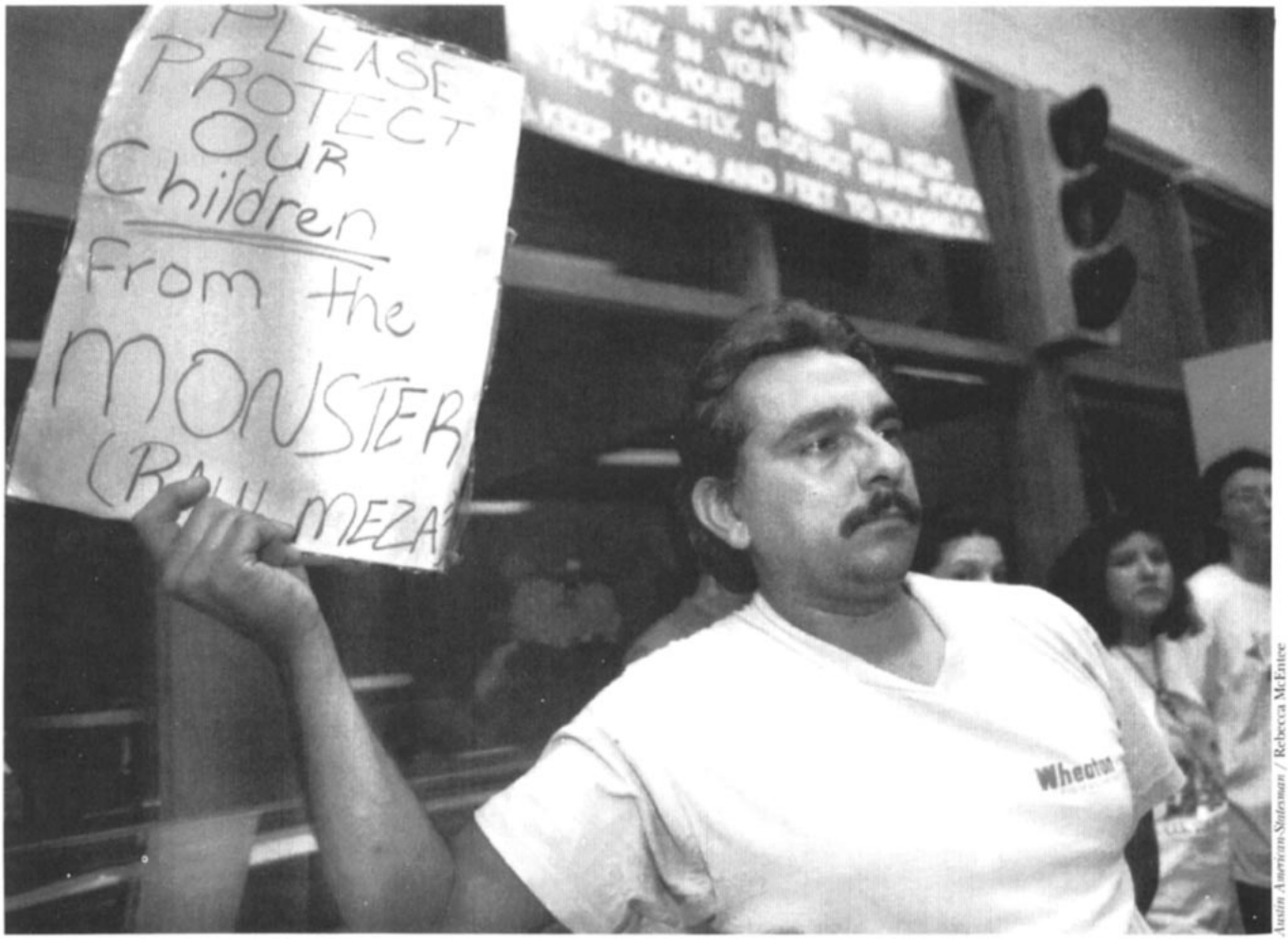
His new neighbors protested, held rallies, carried signs. A few moved away. The furor subsided a bit when the father of the murdered girl publicly called for citizens to give Meza the chance to start a new life. He moved into his mother's house and found a job. In the first 10 months of 1994, the *American-Statesman* ran more than 20 stories on Meza. In August 1994, he was arrested for violating the curfew provision of his parole, and he returned to the state prison in Huntsville.

> "ONCE THEY GET OUT, LET'S LET THE ENTIRE WORLD KNOW WHERE THEY LIVE."
> — DEFENSE LAWYER

At the time Meza was taken into custody, there were more than 116,000 parolees in Texas, 15,000 of whom had outstanding warrants for parole violations. Yet the governor's fugitive squad focused its energies on Meza, the most famous one. And while parolees in Texas routinely get three chances to break parole before being arrested, Meza was taken into custody after only one violation. His supporters cried foul. But the citizens of Texas were the better for it.

Meza needed all the attention he could get. As a group, violent sex offenders have an extraordinarily high rate of recidivism. In Texas, about one-third of convicted rapists are arrested for new crimes within two years of getting out on parole. Ordinarily, parole officers are not able to supervise sex offenders carefully. But because they learned from news reports where Meza lived, neighbors were able to keep their children out of his path. Relentless publicity forced a troubled parole system to work effectively. And information disseminated by the press helped to create thou-

An Austin citizen attends a community meeting to protest the state's decision to move a convicted murderer into town.



Austin American-Statesman / Rebecca McEntee

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A Felon's Perspective

It is clear that social-service providers cannot supply all the supervision many ex-cons need to stay out of trouble. Neighbors can help. Lewis, a 29-year-old native of Washington, D.C., has spent a large portion of his life as a professional burglar. Like many current and former criminals, he understands that it is vital to know whether neighbors have criminal pasts. "People got to know," Lewis says. "If you don't know who's living around you, you're trusting everybody. Most of the people that I know, including myself, we want everybody to trust us, because once you get trusted you can do basically anything you want to do."

As a young man, Lewis broke into houses on his own street. Had the neighbors known about his criminal tendencies, he says, "it would have never happened, because they would have been better prepared. You'd be surprised at the people who leave windows open and go to work. Some people are even stupid enough to get drunk around you and leave their keys."

At 17, Lewis was arrested for several burglaries. He was convicted and sent to Lorton prison, outside of Washington, first to the juvenile wing, then to the adult facility. By the time he got out on parole, three years later, he had not been reformed, but he had become considerably wiser: He stopped breaking into his neighbors' houses. "Quite a few neighbors" knew about his burglary convictions, he says. "Basically, it was a 'we're going to wait and see' type of thing. I was watched and that discouraged me from anything."

Instead, Lewis says, he looked in other neighborhoods, especially crowded parts of town where neighbors would not recognize him. And he always went on foot. "You never drive a different car to a neighborhood because everybody notices it. If people see that different car, they'll wait 'til you get out of it." Lewis estimates he burgled nearly 50 houses before being sent back to prison (on drug-dealing charges, not burglary).

It has been several years since Lewis finished his last term in prison. He is married and lives in Prince George's County, Maryland. He says he has no regular job, but works on and off for a temporary agency. His current neighbors do not know about his burglary convictions, and sometimes Lewis is tempted to steal again. "The urge will hit when I'm broke," he says. "Sometimes when it gets a little tight with money and she starts bitching, you start thinking what you can do for money. And you think, 'I could always do what I used to do.'"

Although Lewis has chosen not to tell his neighbors about his criminal past, he does not believe other criminals should have the same choice. "Why not alert people to the fact that you got a known criminal in the neighborhood, you got a burglar living next door to you?" he asks. "The burglar who lives next door to you will get you sooner than you think, especially if you don't know, because he can see you every day, he sees your moves every day."

sands of civilian parole officers—watchful neighbors who kept an eye on him.

Publicity, however, is a blunt instrument, and others were unintentionally bludgeoned by Meza's fame. His relatives were humiliated. His victim's parents saw their tragedy replayed in the press. And Meza himself was hounded across the state. Nobody knows how such attention may have retarded his rehabilitation, but it may not matter. Despite the burdens imposed on him and his family—or, more likely, because of them—Meza did not kill another child while out of prison.

Even Meza's attorney, a self-described liberal, believes the publicity was worth the cost. "I think everybody should know when a parolee is coming to live in their neighborhood," says Colin Amann. "That's why crime is committed, because people don't know who the criminals are. Once they get out, let's let the entire world know where they are going to live. Let's let the community have some responsibility for keeping its thumb on them."

More and more communities are clamoring for that very responsibility. Meza's case illustrates what most people already sense: Citizens who know their neighbors will be safer than those who don't. Study after study has shown anonymity to be a factor in many crimes. Simply put, criminals are more apt to commit crimes in neighborhoods where they do not know the neighbors, and where the neighbors do not know one another. As James Q. Wilson and Richard Herrnstein explain in *Crime and Human Nature*, their expansive survey of criminology, "the more rapid the population turnover in an area, the higher the victimization rate, even after controlling for the racial and age composition."

Conversely, close-knit communities tend to be resistant to predatory crime. A criminal is less likely to commit crimes where the neighbors recognize him, particularly if they know that he has a criminal record.

Statistics explain why citizens have a vested interest in knowing who in their neighborhood has been convicted of serious offenses. Ex-cons commit a staggering amount of crime. As John DiIulio of Princeton University has pointed out, "within three years of sentencing, while still on probation, nearly half of all probationers are placed behind bars for a new crime or abscond." Nationally, recidivism for parolees is about the same as for probationers. DiIulio cites a revealing study of Florida convicts:

"Between 1987 and 1991, about 87 percent of the 147,000 felons released from Florida prisons were released early. Fully one-third of these parolees committed a new crime. At points in time when they would have been incarcerated had they not been released early, these parolees committed nearly 26,000 new crimes, including some 4,656 new crimes of violence—346 murders, 185 sexual assaults, 2,369 robberies, and 1,754 other violent offenses."

Not only are felons on supervised release dangerous, but there are a lot of them. In 1993, according to the Bureau of Justice Statistics, a total of 671,000 Americans were on parole or probation. There is considerable evidence that many parole and probation officers are responsible for far more offenders than they can possibly supervise, even those housed under one roof. A investi-

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gation in 1993 by the *Rocky Mountain News* found that one of every six convicted felons placed in Colorado halfway houses escaped. That year, the study found, 526 felons walked away from halfway houses and into the surrounding neighborhoods. Seven of the escapees were convicted murderers. "In most cases," the paper concluded, "no one looked for them."

Informed neighbors don't always just keep offenders from committing crimes; sometimes they can help ex-cons straighten out. Mike Elsworth got out of prison in Washington, D.C., for the last time on Halloween 1990, after serving two years for selling cocaine. Elsworth, who was paroled to the same part of town where he grew up, credits his neighbors for helping him keep his record clean since his release. Although he was shunned by at least one woman on his block, other "neighbors were supportive and understanding of me trying to do better once I got out. They knew I was looking for a job, and they would tell me about places that they knew were hiring, and some of them would tell me if I needed anything to come on by." Three months after his release, with the encouragement of his neighbors, Elsworth found a job.

Elsworth says his neighbors gave him the help and attention his parole officers did not. In two years, Elsworth reported to five different officers. "It was like, every three months I had a new one," he says. "I don't know why. They really had little or no concern about me as a person." Elsworth met with his parole officer for 10 to 15 minutes every few weeks. But he saw his neighbors every day, which ultimately, he says, made all the difference.

Of course, not all neighborhoods would take advantage of more information about felons. In some parts of cities, particularly in poor areas where citizens tend to live chaotic lives, neighbors often know who is on parole and don't care. Nor would giving neighbors the names and addresses of all newly released felons always benefit the felons themselves. Critics have long charged that releasing the names of parolees and probationers to the public would make it more difficult for convicted criminals to start successful new lives once they get out of prison. A federal judge recently struck down parts of "Megan's Law," a New Jersey statute requiring released sex offenders to tell their communities where they live. In his decision, Judge Nicholas Politan said the notification requirement amounted to a form of punishment, and cannot be added to penalties already in place before the law was passed in 1994. Requiring a convicted felon to notify his neighbors upon release, he wrote, would constitute a "lifelong albatross," and would ruin an ex-con's ability to "return to a normal, private, law-abiding life in the community." Judge Politan might be right. Ultimately, however, much of what would happen if the names of parolees were publicized is conjecture. As it stands, the identities of released criminals often remain shrouded in state and federal privacy laws. The Federal Privacy Act of 1974, for instance, generally bars authorities from divulging the names and addresses of parolees released from federal prisons. Most states, wary of civil-rights lawsuits brought by released felons, have adopted similar laws. While the intent of such statutes may be noble, their effect has sometimes been devastating.

States Take Action

Some states require notification of local police when a released convict moves into town, including:

Alabama—Those convicted of two or more felonies must register with the town sheriff within 24 hours of moving to a new address.

Florida and Mississippi—All convicted felons must register with the town sheriff within 24 hours of moving to a new address.

Minnesota—Only those convicted of certain crimes must register, such as murder and child molestation.

Missouri and Tennessee—Only those on parole need register.

Nevada—All felons who stay for more than 48 hours must register with the police, as must all visiting ex-cons who come to the state five or more times within 30 days.

In a number of other states, community-notification laws apply only to sex offenders. Though provisions of last year's federal anti-crime legislation may ultimately require all those convicted of sex crimes to register with state authorities, so far only some states keep track of sex offenders. They include:

Arkansas—The staff of a facility that is releasing a habitual child molester must send state police the offender's new address.

California—Citizens will soon be able to call a state-run 900 number to receive information about those convicted of child molestation.

Connecticut—Released sex offenders must register with state law enforcement.

Delaware—Police may announce a sex offender's release in a newspaper advertisement.

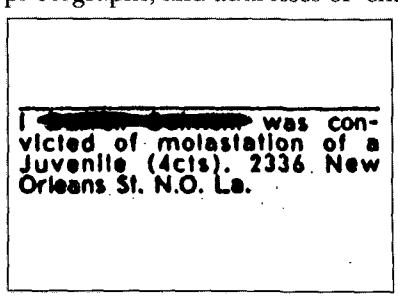
Georgia—As a condition of parole, chronic sex offenders must notify the sheriff in the town to which they move upon release from prison.

Indiana—Police departments must tell any citizen who asks the names of child molesters who live in his or her county.

New Jersey—Sex offenders must notify the police of their home addresses every three months, and in some cases must continue doing so for life.

Oregon—When a child molester goes free, the department of corrections may alert police, churches, convenience stores, neighbors, businesses, or other places where minors congregate.

Washington—Police may post flyers giving the names, photographs, and addresses of chronic sex offenders.



Louisiana requires ads like these of all released sex criminals.

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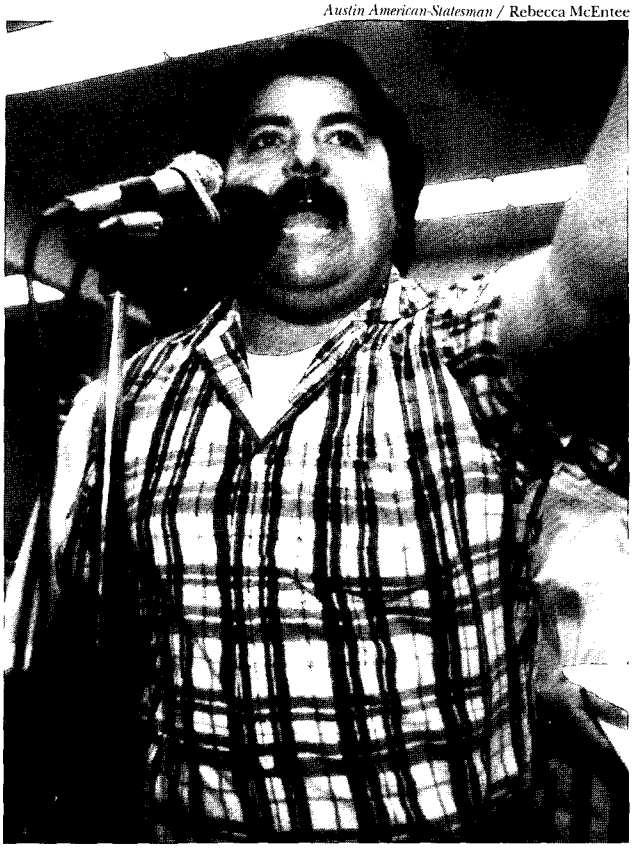
Last summer, the residents of Red Hook, a small town in upstate New York, paid the price for having an unknown felon in their midst. In June, Richard Moran, a lifelong criminal from the Bronx, was released from Rikers Island, where he had spent the previous three months on a parole violation, and placed in Red Hook's only homeless shelter. No one knew his criminal record. No one was watching.

Had Moran's record become public, Tommy McCauliff, a 29-year-old with cerebral palsy, might still be alive. On a Sunday afternoon in July, McCauliff emerged from his apartment, staggered across the street, and bled to death on the sidewalk from a knife wound in his back.

Police picked up Moran and charged him with second-degree murder. He was later convicted.

By the time he came to Red Hook, Moran had spent close to half of his 43 years behind bars. First arrested in New York City for armed robbery in 1969, he went on to amass 26 different criminal charges, including several violent felonies. Within days of being released, Moran made his way to Shelter Plus, a state-financed boarding house for vagrants in Red Hook, 90 miles north. Under circumstances that are still not clear, he met Tommy McCauliff.

Austin American-Statesman / Rebecca McEntee



In protest: Reluctant neighbors of a convicted child-killer organize to keep him out of the community.

When an inmate with two or more convictions is released from a state prison in New York, within 48 hours corrections officials must notify the police in the town to which he is headed. Rikers Island, however, is not a state prison, but a jail run by New York City. Authorities there were not required to notify police in Red Hook that Moran was on his way to their town. And they didn't.

The state's department of social services in nearby Poughkeepsie was the only agency that knew about Moran's arrival in Red Hook, and New York's confidentiality laws require social workers to keep secret the criminal histories of their clients.

"Anything in our records is confidential," says John Battistoni, the county's commissioner of social services. "Parolees just come in like anyone else. If they're without a place to go, we're required to give them shelter." Only a court order, he says, can force the department to divulge the names of the parolees it places in homeless shelters. A call from the local police department will not suffice. For employees who break confidentiality rules, says Battistoni, "the penalties could be severe. You'd be subjecting yourself and your county to all sorts of suits. It's tough stuff."

All things considered, says Battistoni, he is not bothered by the secrecy. "I suppose people shouldn't be branded," he offers. "People are saying they'd like to know if a criminal is placed in their neighborhood. I often wonder what they would do with the information if they had it. Put a 24-hour tail on the guy?"

Lisa Murray has no doubt what she would do with such information. "I would keep an eye on that person," she says, "and I would know if that person was near my child, if it was a rapist or a child molester, to get my kid away." Murray is one of five Red Hook women who formed a group called Concerned Citizens for a Safe Community after McCauliff's death. The group advocates changing the confidentiality laws they believe were partly responsible for the killing.

Murray points out that Richard Moran is not the only criminal to move into the homeless shelter without the town's knowledge. Since McCauliff's death, police have arrested two other residents of Shelter Plus for selling drugs. "Whenever somebody gets a DWI or commits a robbery, it's in the paper before they're even convicted of the crime," she says. "So why not have a criminal who's already been convicted of a crime and released from prison be put in the paper saying where he's going to live?"

A county legislator named Woody Klose quickly sponsored a resolution requiring local police to be notified whenever felons are placed in homeless shelters. Steve Saland, a state senator, sponsored a bill that would force corrections officials to notify towns whenever a parolee is about to be released into their midst. Unlike the statute in place, the new law would apply to jails as well as state prisons. It would require authorities to notify the mayor and the chief of police of the town to which the parolee is headed, as well as officials in the town where the crime was committed. The written statement would include the ex-con's physical description, his known aliases, and his criminal record. It would also contain his new home address. Towns would have to post the information in a public place, such as a bulletin board in city hall, in post offices, or in advertisements in local newspapers. Released offenders would be required to report to local authorities for a period of 10 years each time they moved to a new address in New York.

Saland's notification law would apply only to paroled

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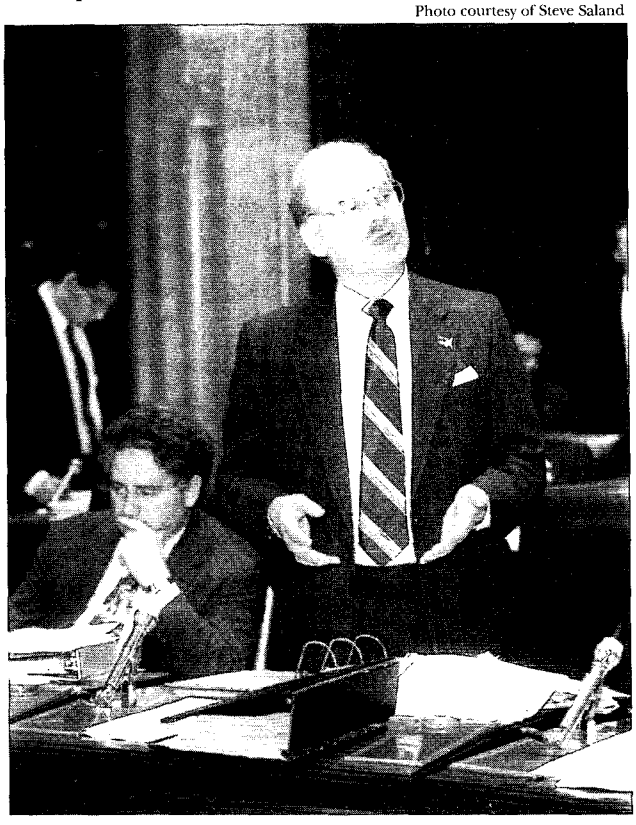
sex criminals, repeat violent offenders, and those convicted of three or more felonies. Saland says the law would not prevent parolees from committing new crimes. But it might help neighbors to protect themselves from released criminals. "All you can do is provide notice," he says. After that, "it's up to the community."

Photo courtesy of Steve Saland



In session: New York State Senator Steve Saland backs a bill to protect the community's right to know.

Tommy McCauliff's death prompted New York politicians to take a new look at an old debate. For years, lawmakers have tried to balance the requirements of public safety with a belief that stigmatizing released felons makes rehabilitating them more difficult. Many states have compromised by requiring parolees and convicted criminals to register their addresses with law-enforcement officials, but not with neighbors or community groups. States that do provide for community notification when a felon is released nearly always limit the notification to cases involving sex offenders.

Most states that have such laws leave their application to the discretion of law enforcement officers. Often police departments get to decide which sex offenders constitute a threat to their neighbors. Although the state of Washington allows police to release photographs of and information about convicted sex offenders to community groups, and news outlets, the law is not always used. In the first 10 months of 1994, for instance, county police in Spokane notified the public only once of a paroled sex offender, though several were released into the area. Carol Dorris, who follows crime legislation for the National Victim's Center, says it is not unusual to see effective laws passed, then ignored. "It's fine to put in statutes and legislate something," she says, "but to enforce them is a lot harder to do."

Nevertheless, recent developments show that concerned citizens have several outlets for civic action:

Legislative Action. The inability of probation officers to effectively track offenders argues for comprehensive notification laws—let the community provide the surveillance that the state cannot or will not. So far, such laws exist only in theory. For fear of destroying an ex-con's chances of success after release, no state has passed laws that would give the public the names and addresses of all parolees and probationers.

Louisiana, however, has taken the lead in warning communities about released sex offenders. In 1992, the legislature passed two laws that ensure sex offenders will never again live anonymously in Louisiana. Or, as a later revision to the laws put it, "Persons found to have committed a sex offense have a reduced expectation of privacy." In fact, a person convicted of one of the state's 18 sex offenses can expect practically no privacy at all.

The two laws and their amendments are vast in scope. No later than 10 days before a sex offender gets out of prison, corrections officials must send letters warning of his impending release to his victims, witnesses who testified against him, and the sheriff of the parish (county) to which he is going. Once he gets out, a sex offender must register with the sheriff and provide his fingerprints, his photograph, his social-security number, and any aliases he has used. The ex-con must also give the sheriff a description of his offense, including the date and place he committed it, and his home address. Offenders who move within the state of Louisiana have 10 days to re-register. The process continues for 10 years after their release.

If his victim was a juvenile at the time of the offense, the offender must notify his neighbors as well. Twice within his first month out of prison, he must purchase an advertisement in his local newspaper. The ads must reveal his name, his address, and his offense. Descriptions of the crimes must be written in language ordinary citizens can understand; statute numbers do not suffice. To verify that it meets these specifications, the ad must pass muster with a parole officer.

One such classified advertisement, which appeared in the *New Orleans Times-Picayune* on May 8, 1994, is typical of the genre. "John Jones of 701 Teche St.," it said, "was convicted of a Sex Offense, Simple Rape." Another, on June 10, 1994, advertised, "I, Jim Davis, was convicted of molestation of a juvenile." [*Policy Review* has changed the names.] Other ads placed in the paper in June mentioned carnal knowledge, sexual battery, and indecent behavior with a juvenile.

Once he has notified the larger community of his crime, an offender must tell his neighbors about it. The parolee must send letters or postcards with the same information—name, address, and offense—to every house within three blocks of his home. In cities, this usually means 36 square blocks and hundreds of houses. A parolee who lives in a rural area must send letters to everyone within a one-mile radius of his house.

Finally, a sex offender whose victim was under 18 must contact the superintendent of the public-school district in his parish, as well as the principals of any private or

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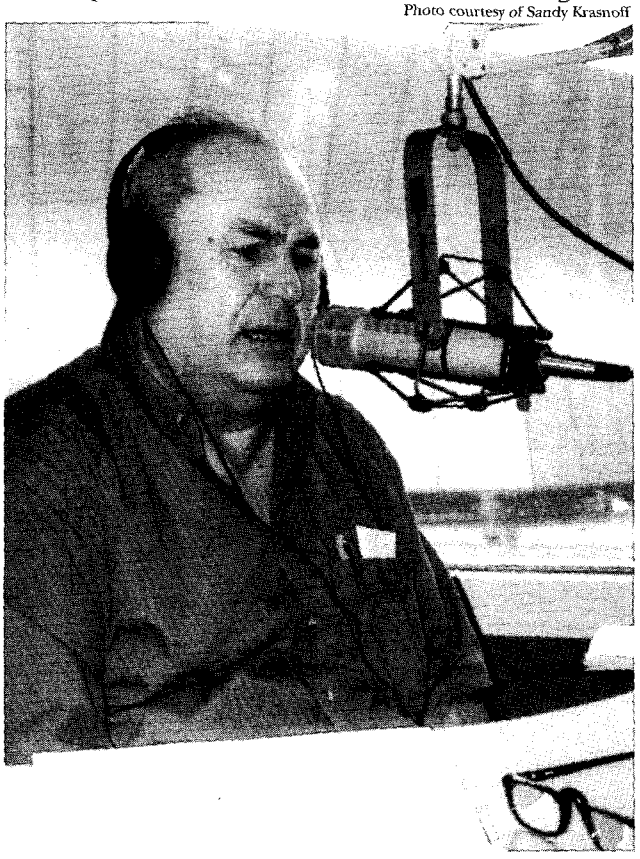
parochial schools in the area.

If it chooses, a parole board also "may order any other form of notice which it deems appropriate, including but not limited to signs, handbills, bumper stickers, or clothing labeled to that effect." All of the expenses involved in the notification, such as stamps, envelopes, and advertising fees—not to mention any specially-labeled clothing the parole board may require—must be borne by the parolee. If at any time he fails to meet any requirement, an offender may be returned to prison.

Citizen Journalists. When John Roger, president of the Bayview Civic League in Norfolk, Virginia, asked the local police department to release the names of parolees who had moved into his neighborhood, it refused. Undeterred, Roger sought information at the other end of the criminal justice system: arrestees.

Unlike the addresses of released felons, arrest records are publicly available from the police department. Every month, the league's newsletter, *Bayview Bylines,* publishes the name, race, and home address of each person taken into custody by the police within the boundaries of the Bayview neighborhood. Periodically, in a feature called "Pervert Alert," Roger also provides descriptions of flashers, peeping Toms, and other unsavory characters seen in the area. To pay for printing, local merchants buy advertising space in the newsletter. "Want to know why we do it?" he asks. "It's simple. We live here. We believe our members have a right to know what's going on."

Photo courtesy of Sandy Krasnoff



On the air: Former cop Sandy Krasnoff hosts a weekly radio show to announce the release of sex offenders.

Though he prints only 4,000 copies of the newsletters, Roger is confident they reach many more people. Residents read it, he says, not only out of a fear of crime, but to "find if somebody they know has been arrested." The publicity can have consequences. Landlords, says Roger, scan the names of arrestees. "If it happens to be one of their tenants, they get rid of him."

Although it remains difficult in most states to learn the whereabouts of parolees, there are other ways citizens can gather information on potentially dangerous criminals. In July 1994, John Johansen, a financial consultant in Arlington, Virginia, published the first issue of *Crime Prevention Bulletin,* a quarterly newspaper with a circulation of 30,000. Police departments in Washington, D.C., and suburban Maryland and Virginia cooperated with Johansen, giving him the photographs and last known addresses of fugitives in the area. Johansen printed the mug shots, some beneath headlines like "Wanted for Murder." The papers were distributed throughout the area by members of neighborhood organizations.

The *Bulletin* was an instant success. In many cases, fugitives were still living in the same areas, even at the same addresses, amid neighbors who had no idea they were wanted by the law. Local police did not have the resources to track down each of the fugitives. But they could respond to tips provided by citizens who recognized their neighbors in the *Bulletin.* In its first six months, police credited Johansen's newspaper with the arrests of 15 fugitives in Washington alone. Six of them were suspected murderers.

Do-It-Yourself Advertising. Sanford "Sandy" Krasnoff, the president of Victims and Citizens Against Crime, in Lousiana, says his group devotes much of its energy to making certain the state's sex-crimes laws achieve their desired effect. Every Saturday morning, the flamboyant Krasnoff, who at various times in his career has been a New Orleans cop, a lawyer, and a manager of professional prize fighters, hosts a radio show called "Crime Watch." Each week, during three hours of air-time donated by the station, Krasnoff announces the names, addresses, and crimes of all sex offenders released on parole or probation in Louisiana in the previous week. Krasnoff gets the information directly from the parole and pardons board.

Krasnoff's group also monitors offenders after their release. A volunteer, whom Krasnoff refers to as "the sex lady," scans newspapers for advertisements placed by parolees under the new law. When he saw that some of the ads were "coming out in mumbo-jumbo, referring to act numbers and statutes instead of telling people exactly what they were charged with," Krasnoff wrote a letter to the department of corrections, which promptly instructed parole officers to reject such ads.

According to William T. Price, the deputy director of the state's adult probation and parole division, the state's new sex-offender laws have not prompted violence from the public. In a few cases, people moved upon learning that a child molester had come to their neighborhood. But, he says, nobody has yet thrown a fire bomb.

Price does worry that the laws may be too broad, covering not only child molestation and forcible rape, but also non-predatory crimes like bigamy. "If you can attach the concept of sex to it," says Price, a crime probably falls

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under the rubric of the new laws.

For all its willingness to publicize the names and addresses of sex offenders, the state of Louisiana still guards information about other parolees carefully. Apart from sex criminals, the state's probation and parole division refuses to give out the home addresses of the convicts it supervises. The concern, says Price, is that some people, such as bill collectors, could put the information to unwholesome purposes. "We don't want to get into that business," he says.

In the fall of 1994, residents of Warwick, Rhode Island, a Providence suburb-were desperate to publicize the whereabouts of a man named Craig Price. Five years before, Price had admitted stabbing to death four of his Warwick neighbors. Because he was technically a juvenile when he committed the murders, he was sentenced to a juvenile detention center until age 21. Incensed by Price's crime, a Warwick police captain named Kevin Collins organized citizens to fight his release. "This guy had butchered four people," says Collins, "knowing that when he gets out at 21, he can go out and obtain a gun, [or] work in a day-care center."

Parker Daniell

In print: Virginian John Johansen publishes the "Crime Prevention Bulletin," which has helped nab six killers.

Collins decided to keep Craig Price from ever becoming anonymous. He recounted Price's story on radio and television shows. He sent press releases to papers around the country. When he heard that Price planned to move to Florida upon release, Collins hired an airplane to tow a sign over Miami Beach. The banner read, "Killer of 4 Craig Price Moving Here? No Police Record!" Similar messages floated over Chicago and beaches in Los Angeles and New Jersey.

Once Price is released, Collins says, he will not be able to tell the public where the killer lives. "Once he gets out there—like if he moves into your neighborhood," says Collins, "if I went around there knocking on doors, I think they're going to come after me on a civil-rights violation." Collins says the memory of the man's crimes may be enough to keep Price from killing again in Rhode Island. "Hey, my attitude is, he deserves to be a prisoner of public opinion."

Exercising the Right to Know. Although no Rhode Island statute would prevent Collins from publicizing Craig Price's address once the killer is released, doing so would be unwise. As a police officer, Collins could wind up in federal court under Title VII of the United States Code. Passed in 1964 as part of Lyndon Johnson's civil-rights legislation, the law allows individuals to bring civil action against government officials who conspire to deprive them of rights guaranteed under the Constitution. Courts have interpreted the law liberally, and it is conceivable that Collins could be found to have violated Price's right to privacy, a protection some judges believe emanates from the Fourth Amendment.

The state's privacy act prohibits government officials from releasing a parolee's medical records, or information about his drug or alcohol treatment. But no regulations prohibit the state from giving out his home address to citizens who ask. The privacy law does not bind Rhode Islanders who do not work for the government. Says James Jerue, chairman of the state's parole board, if Craig Price were released on parole in Rhode Island, any citizen could find out where he lived. Not that Jerue thinks citizens would try to learn. "It has never happened," he says. "No one has ever asked for a home address."

Citizens have a right to know when potentially dangerous criminals are released into their neighborhoods. But they also have an obligation to make the effort required to find the information. And there are many ways to get it.

- In places like Rhode Island, citizens can simply ask the state for the names and addresses of parolees.
- In states with strict privacy laws, such as New York, citizens can lobby the legislature for legal reform.
- Individuals can ask newspapers to publish the results of every parole hearing in the state, as well as the names of every person arrested and convicted for a serious crime. Once such information becomes public, it can be spread to a wider audience on community bulletin boards and computer services.
- Citizens' groups can apply political pressure to police departments to release the names and addresses of those arrested and of those being released from prison into the area.
- No citizens' group should underestimate the power of a well-placed news story to make police departments more accommodating to its requests. If public scrutiny helps to keep criminals honest, it can have the same effect on public officials. More than anything, concerned citizens must be willing to spend time and energy gathering information on known criminals. Which means they must be nosy. An informed community is not necessarily the most private, but it will be the safest.

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The Land of the Free Throw

A New York Basketball League Builds Community

Wight Martindale Jr.

The most popular outdoor basketball court in New York City is half the regulation size, offers no place to sit, and has sidelines bounded by a chain-link fence 20 feet high. Those who play here are literally encaged. Yet this ridiculously inadequate court, on West 4th Street in the heart of Greenwich Village, has drawn the likes of Denzel Washington and Julius Erving for pickup games. And the summer league based here is probably the most prestigious in the city. Each year, the West 4th Street League attracts more than 30,000 spectators—city-dwellers and tourists—who stand in blistering heat just to glimpse their favorite players and snap up league T-shirts at $12 apiece.

West 4th Street basketball owes its popularity to the inner-city leadership of its volunteer commissioner, a limousine driver named Kenny Graham. With little support from city hall or local civic groups, he has spent the last 18 summers building the league into a New York institution. Lloyd Daniels, Mario Ely, Anthony Mason, Rod Strickland, and Jason Williams honed their skills here before going on to N.B.A. careers, and some of them still show up during the off-season. Former pros like Detroit's Kelly Tripuka mix it up with high-school dropouts.

> **"I want people to learn they gain respect if they give respect. That's the bottom line."**
> **— Kenny Graham**

Midday Basketball

West 4th Street has developed its share of stars, but this is not the league's true purpose. In an era of commercialized sports, it is important to understand the contributions of a community league composed primarily of players whose glory days are over—25- to 35-year-olds with talent and pride, but no N.B.A. contracts. The league and its fans cherish players the media overlook, while putting sports and sportsmanship back into the community. It is midnight basketball played in broad daylight and without government handouts.

A recent documentary film called *Hoop Dreams* dramatizes the pathos of the nearly-great athlete. William, a high-school phenom from Chicago, ponders his future as a scholarship recruit. In the final moments of the film, William reflects on all the people who've asked him, "Will you still remember me when you're a big star in the N.B.A.?," and says, "I should've asked them, 'Will you still remember me if I'm not?'" Promising inner-city players are typically groomed from the age of 12 or so. This process has obscured the virtues of athletic competition and replaced them with illusions of easy wealth. For a lucky few, lucrative professional careers represent a materialistic triumph and escape from the neighborhood. Graham's league, on the other hand, showcases those who cannot escape, who must remain behind and make their community work.

"I started working there refereeing league games for $10 a game," Graham recalls. "The next year the league was falling apart and no one wanted to take over, so I decided I would be commissioner."

Founded in 1968, the league had struggled along for several years with only eight teams, unreliable funding, and a shortage of referees. Today, Graham runs the oldest summer-basketball program in New York City. There is a game every day of the week in June, July, and August, five on Saturdays and Sundays. Each year, more than 600 players altogether participate in the 24-team men's division, a women's division of six teams, and an eight-team division for boys 15 and under. Its prowess is known nationwide. Last year, the Summer Pro-League outdoor championship, sponsored by Nike and shown on ESPN, was won by the defending champions from New York. But that team, which defeated a Chicago squad in the finals by 30 points, had finished *second* at West 4th Street.

Youth teams have come from as far away as Seattle and

Wight Martindale Jr., *a managing director of the West 4th Street Basketball League, spent almost 20 years on Wall Street. He retired four years ago to devote time to civic projects.*

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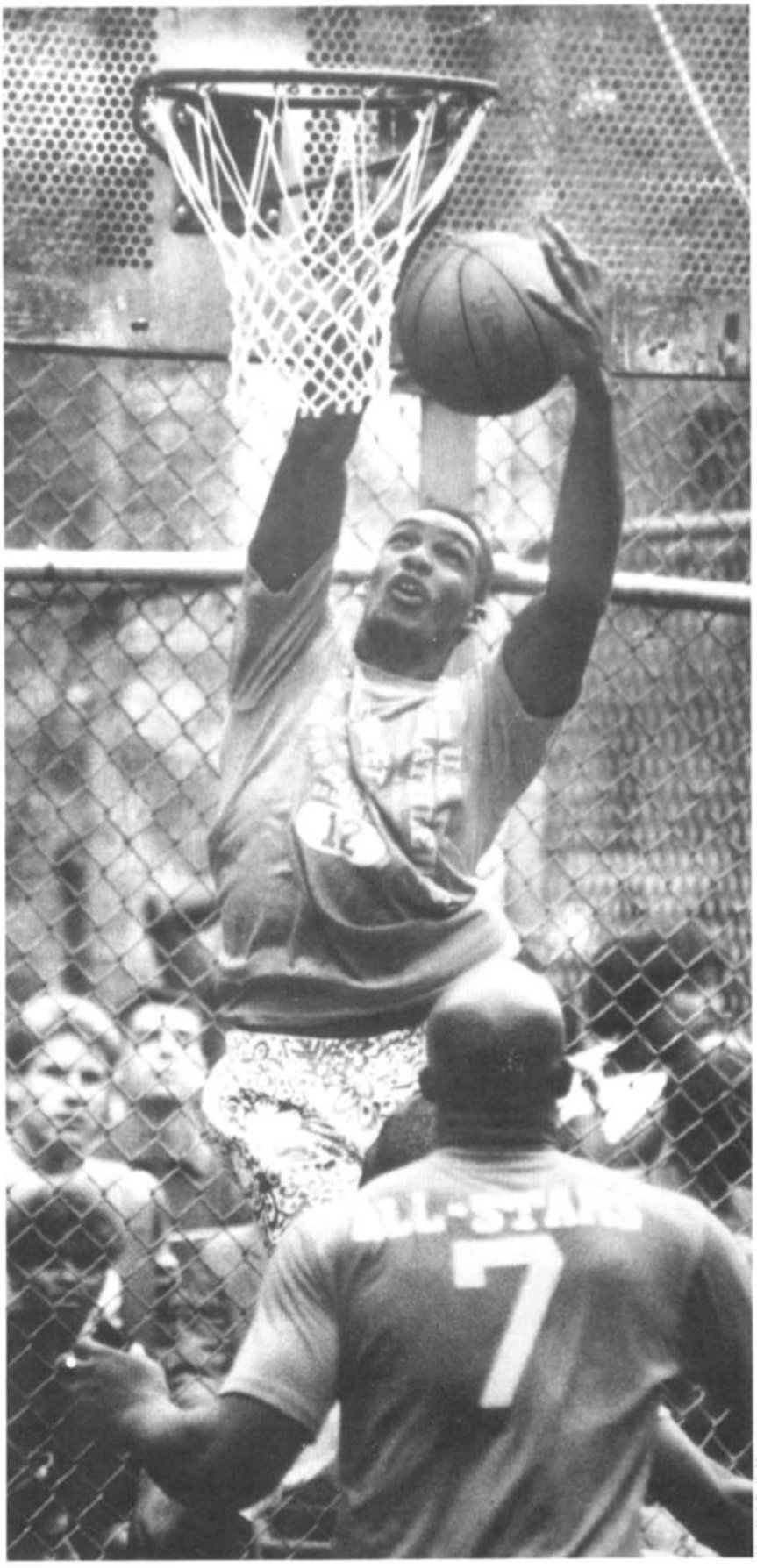
France to play in the preliminary games before the seniors begin, but collegiate players rarely play here because the league is not sanctioned by the N.C.A.A. In his youth division, Graham prefers to work with younger, pre-high-school players, because high-school-age youths are often spoiled and difficult to control. "We have trouble getting teams with responsible adults to control the players," he says. "It can be very difficult to talk to them. Last summer, we had high-school-age girls' teams, and fighting became a problem. At age 13 to 14, the kids will listen."

The tiny court must hold two referees and 10 quick and often large players, so personal fouls proliferate. That makes refereeing difficult. "No one wanted to come down there to ref because West 4th Street was very rough," Graham says. "The first year I was commissioner, we had only one incident, and I took a stand. The players knew right then that I would not walk away from a problem." Arizona Pearson, who has played in the league for 11 years and now directs its youth program, has watched Graham keep the peace. "Kenny gets in the middle," he says, "but you have to do that, you have to be in control. With Kenny, it takes a lot to get him upset. If there's shouting and threatening, people apologize afterward."

The cramped conditions also make ball control extremely difficult. Passing lanes are limited, and it is much easier here than in the N.B.A. for a defensive player to abandon his man to attack the dribbler or the post-up man waiting to turn and shoot. At the same time, the New York style of playground basketball frowns upon the staid jump shot in favor of the driving lay-up, with its infinite possibilities for blind pass-offs or shot creation. These factors produce a game of ferocious strength, speed, and competitiveness. The discipline and control of this style amazes outsiders and accounts for the league's popularity.

West 4th Street smoothes the transition for many of the 98 percent of New York's good collegiate players who do not make it to the pros. The close of a competitive career can prompt an emotional letdown and demoralize young men with leadership abilities. Tony Hargraves was the co-captain of Iona College's basketball team in 1984-85 and was named an Honorable



New York Daily News

At right: Rock Bunce, a league all-star and three-time slam-dunk champion.

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Mention All-American by the Associated Press, but he could not get a professional contract. Now an operations manager at Bear Stearns with a home and family in the suburbs, he continues to play regularly in the cage. "Good players still have a desire to play against people at their own level," Hargraves explains, "and West 4th Street offers this." When N.B.A. players show up, regulars treat them with respect, but they also relish the chance to show up the pro athletes.

"The small court makes you do all the right things," Hargraves explains. "It improves your game. This is a place where you cannot continue to make mistakes. Anthony Mason [a power forward with the New York Knicks] is a prime example. West 4th Street defined his game. He learned he had to move much more quickly. He became one of the stronger players in the city, and now he's one of the stronger players in the N.B.A."

Respect Without Fear

I first became drawn to these players in the early 1980s, when I saw in their character something missing in the bright young MBAs at our big Wall Street trading firm. I saw in young players like Tony Sherman (who still plays) and Mario Ely (who won a championship ring with the Houston Rockets last year) awe-inspiring toughness, masculinity, and personal pride. These players are courteous but not chatty, fearless but disciplined. The better players have grit and a capacity for physical exertion that, I fear, our increasingly computerized society seems to devalue.

Pearson sees the role of competitive basketball in the city quite clearly: "Of course it is fun, you can work off frustrations. But it's really about getting respect. That's what living in the city is about, you know." At West 4th Street, that means being looked up to by others. It's not the same as the fashionable notion of "self-esteem," which is of little use on the streets.

Kenny's idea of respect is not built on fear. "I'm not militant and I'm not a cult leader," he explains. "I want people to learn they gain respect if they give respect. That's the bottom line.... Often black organizations are poorly run, and I tell players, 'When you carry on, you reinforce stereotypes. If you make us and the league look bad, we could wind up with no league—and then you would have no chance to showcase your talents, we want a mutual respect for peers.... And respect for a program and an organization.... You can teach respect. I do it by talking, by challenging a person mentally. People judge others by their behavior, and I tell people that in their actions they represent their heritage, their culture, their race. A lot of so-called black leaders won't challenge black people about their behavior. It's easier to tell them [their problem is] white people."

Fans must arrive early to reserve a good spot at courtside. For big games—the playoffs or the all-star game—youngsters sit on the fence or hang from tree branches. Graham or one of the staff wits uses a bullhorn to announce the games, and their commentaries are humorous, improvisational performances.

The league has become an integral part of the lives of its 600-plus participants. Most of the players do not live in the neighborhood. They come mainly from Brooklyn, Harlem, or the Bronx to the playground here because they like to play before the big crowds in the Village.

Sid Jones, a Brooklynite who has been coaching winning teams for 15 years, is particularly attuned to the sense of community the league has developed. "Generally, people don't spend time getting to know each other, but at this park, you meet people," Jones says. "The people you meet may help you in other parts of your life. Kenny and the league have been bringing people together for years, and it's now a community. You wonder, why can't people get along like this outside of sports?...Just about every subway line stops here, so you get people from all walks of life. It's a real melting pot. Players will come here when they won't go everywhere else. And I'll tell you, when you win a big game down here, you don't want to go home."

The city government provides the league nothing except a permit to play. "They are not that concerned with us," Graham says, "because they see we are doing OK. They are worried about their own programs. Occasionally a mayor will come down here to help get some votes....But they are not here to help the league."

> **"I TELL PEOPLE THAT IN THEIR ACTIONS THEY REPRESENT THEIR HERITAGE, THEIR CULTURE, AND THEIR RACE."**
> **– KENNY GRAHAM**

Graham never passes the hat. He and a few of his staff were once granted the status of part-time employees by the New York City Parks Department, but that was discontinued years ago. Money to run the league now comes exclusively from entry fees—$500 per team—and corporate sponsors. The principal sponsor for the last two years has been Fila Inc., a sportswear manufacturer, which subsidizes uniforms and gives sneakers to each team. Since 1986, Nobody Beats the Wiz has provided television sets for the winners of the Most Valuable Player and Sportsmanship awards. The nearby McDonald's feeds the staff more than 500 free meals each summer. The maker of Olde English 800 malt liquor provides a scoreboard and money for trophies and shorts.

None of the league's successes—its local following, corporate sponsorship, and national recognition—would be possible without its reputation for serious, disciplined basketball. So Graham insists upon high standards of behavior. A public league held in a public park draws all kinds, and no one can be refused admission, but Graham works hard to maintain the dignity of the league. Sometimes a player or fan will challenge this. "One day right

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after a game, a guy on one of the teams dropped his pants," he recalls. "I didn't think it was funny. I laced into him something fierce. I embarrassed him right on the spot. What he did was totally wrong." As commissioner, Graham's decisions are final. If a player starts fights or disgraces the league in any way, he is banned for the season.

Graham is a gifted leader who embodies positive thinking—necessary for entrepreneurs, but rare among administrators. Graham also takes great pride in delivering what he promises. Once when the TV prizes were held up due to a clerical snafu, he didn't hesitate to cover the costs. (Eventually, he was reimbursed.)

Graham's devotion to excellence and good manners filters throughout the neighborhood. Good-humored and charismatic, he can quickly summon dozens of helpers to do whatever is needed—keeping score or sweeping the court before games. Afterwards, they leave the whole area cleaner than before. In this way, even street people become part of the league culture. "We take all kinds," says Graham. "We're all human beings. Sometimes people will tell me to get rid of a guy who maybe has a drinking problem. I say, if a man has a problem and I can help him, I will. Everybody can't be on the level we'd like them to be. Some guys have gone through their whole lives being rejected, but I will help somebody who wants to be helped. I can deal with them."

"MANY GUYS DOWN HERE ARE NOT PART OF ANYTHING BUT A JOINT OR A BOTTLE OF WINE. WE GIVE THEM AN IDENTITY ABOVE THAT STUFF."
— KENNY GRAHAM

CREATING AN IDENTITY

Graham is proud of the fact that the league plays a part in the lives of many players and staff, even those who do menial work. "Many guys down here are not part of anything but a joint or a bottle of wine," he says. "We give them an identity above that stuff." Graham, who shuns smoking and alcohol, does not allow even surreptitious drinking in the park during games. He has also been known to chase smokers away, even though smoking is legal. He feels it creates a bad atmosphere for the kids who come to watch. He often reminds players that they are "guests" in the neighborhood.

Even those who never became professional grow as players and as individuals. One of these is Tony Sherman, one of the best players in the league never to enjoy a good prep career or go to college. "He used to live down there," says Hargraves. "Every day at 3 o'clock he'd be there working on his game. He's now a great player, and he's done it without a good high school record or any college experience.... At the park he became popular and he gained respect. That's a big thing in New York City." Pearson agrees: "Sherman's grown a lot. He could have been a troublemaker, but he watches his mouth now."

Graham says Sherman has gradually earned the recognition he craves for his talent. He has come to follow the example set by Graham and some of the older players, and takes defeats with dignity.

"Sherman was once the king of the park," says Graham. "Many guys respected him out of fear. Now he's older, he's got responsibilities. I think he's realized that people give him respect. It's an important difference."

Last year, then-Governor Mario Cuomo inaugurated the New York State Midnight Basketball League at a celebrity function in uptown Manhattan. The governor told the out-of-school, out-of-work youngsters for whom the league was created that "we have not done well by you, [but] we'll try to make it up to you." This was not the spirit that made West 4th Street. Graham is not driven by paternalism or guilt, nor even by altruism. Like his players, he is motivated instead by a need for personal recognition and respect from the players and the basketball community. "It's nice to have people say, 'I'm glad you're back,'" he says. Players and staff alike seek the rewards that come with excellence, not charity. "I tell them you don't have to love me ... but you should respect me."

Graham believes that other communities can duplicate the success of West 4th Street. First, he says, "develop a following. Develop a symbol. Our symbol is West 4th Street, playing in a cage. Our shirts are known all over New York—every kid wants one." Second, "develop people with character. You've got to let people know that you don't have to be out there, you've got a job and other things in your life. They can't just do what they'd like to."

Sociologists like to point out that chaos and disorder are common aspects of malfunctioning inner-city families. One of Graham's greatest talents is for organization: it is he, not some government agency, that provides continuity for these New Yorkers. The order originates within the community rather than being imposed from without. There are lots of Kenny Grahams in every community. If such leaders are encouraged, they will come.

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We Aren't the World

An Exit Strategy from U.N. Peacekeeping

Charles M. Lichenstein

Just the other day, it seems, the national debate about the U.S. role in the United Nations turned for the most part on the issue of money—on U.S. contributions and U.N. waste, and how reducing the former might diminish the latter. That issue remains. In 1994, the U.S. spent no less than $3.5 billion on a largely dysfunctional U.N. system—with scant returns as measured by U.S. national interests. (See sidebar, next page).

But the debate has a scary new dimension. The U.N. is reinventing what used to be called "peacekeeping." In the last several years, that do-good concept has been stretched to encompass a range of U.N. operations that typically involve the use of force, even the waging of war. Moreover, President Clinton's U.N. representatives are willing collaborators in developing a one-size-fits-all justification for multilateral interventions that bear only the most attenuated relation to U.S. interests—if any at all.

And that, along with peacekeeping's mounting bills, adds up to serious business indeed.

It is now the business of the 104th Congress. As a component of its Contract with America, the House of Representatives already has passed the National Security Revitalization Act, which reins in the wild proliferation of U.N. peacekeeping, limits U.S. participation in these operations, and imposes some controls on U.S. contributions to the U.N. generally. The next orders of business are to fend off efforts in the Senate to weaken these provisions—which constitute only a minimal package—and then to be vigilant about implementation. The question still to be answered is what the U.N. is worth to us—whether, that is to say, the U.S. gets back in national priorities anything commensurate with its $3.5 billion annual investment.

Ten years ago, there was a consensus in the United States that radical surgery was called for. Numerous studies and investigations, many of them instigated by the U.N. itself, had revealed a pattern of waste, mismanagement, and duplication (see sidebar, page 66). The U.N.'s socioeconomic agenda called for the redistribution of wealth from the industrialized democracies to the less-developed countries of the Third World. On the political side, national-liberation movements (good) and colonialism (bad) were the buzzwords of choice.

As a result, a Democratic-controlled Congress in 1984 overwhelmingly approved the Kassebaum-Solomon Amendment to the authorization of the U.S.'s 25 percent share of the U.N.'s administrative budget. The terms of the amendment seemed unambiguous: Shape up, impose fiscal discipline on yourself, and move toward some form of weighted voting on the U.N. budget in the General Assembly, with "bonus" votes for big contributors in rough proportion to their contributions, or else suffer an annual 20 percent withholding of the U.S. payment.

Now, let the record show that Senator Nancy Kassebaum (R-KS) and Representative Gerald Solomon (R-NY) had the right idea then—that the U.N. had to be reformed if ever it were to become a useful agent of world order—and it is the right idea still. But for the most part, Kassebaum-Solomon failed. Congress is now back at work on the problems of a dysfunctional U.N., using the power of the purse as one lever of reform. The problems have deepened, however, both in complexity and in their deadly import. The U.N. has recently engaged in the promiscuous use of force under the authority of resolutions that may violate its own charter, and the Clinton administration has been willing, even eager, to plunge into the resulting swamp.

The Peacekeeping Trap

Kassebaum-Solomon *redux* is embodied in the new House act; and, in the Senate, a companion bill covers some of the same ground. Both are reasonable first cuts at shaping a long-term policy. U.S. costs and U.N. waste are still at issue. But these bills focus on U.N. peacekeeping—which is itself a misnomer, and a dangerously misleading one.

The U.N. peacekeeping budget and its expansive peacekeeping agenda are escalating out of control. In 1994, the U.S. was assessed almost $1.2 billion for what the U.N. calls peacekeeping operations. (The U.S. share is supposed to be fixed at 30.4 percent, but in fact has crept up to 31.7 percent.) On top of that, the U.S. volunteered in-kind operational support services—ranging from air- and sealift to armored personnel carriers to

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state-of-the-art communications and intelligence assets—that are valued in the House bill's "findings" at $1.7 billion in 1994. (Sources within the national-security establishment set their value at close to $2 billion. The administration claims that a major part has been reimbursed, but exactly how much is unclear.) These costs were skimmed off U.S. defense appropriations that were never intended for peacekeeping or any other U.N. program.

This has contributed to a state of unreadiness in the U.S. military. Appearing before a House appropriations subcommittee on January 25th, General John Shalikashvili, the chairman of the joint chiefs of staff, and Defense Secretary William Perry conceded as much. They attributed about half of a $2.6 billion defense supplemental request to "unanticipated" U.N. peacekeeping costs: $600 million for Haiti alone, another $312 million for Bosnia, and lesser amounts for other operations.

As recently as 1990 or 1991, U.N. peacekeeping was pretty much just that: the assignment of ad hoc U.N. forces to monitor truces, police cease-fires, and provide buffers between contending parties. These forces prided themselves on scrupulous neutrality, and were deployed with the agreement of the parties. The models were Kashmir, Cyprus, Lebanon, or the Sinai (where it all began in the 1950s). These were the renowned Blue Helmets, drawn from the armed forces of smaller countries (such as Fiji, Ghana, Ireland, and Norway); they collectively and deservedly received two Nobel Peace prizes. The U.N. peacekeeping budget was appropriately modest and generally predictable from year to year. A decade ago, the entire U.S. contribution to the U.N. for all programs was less than the U.S. assessment for peacekeeping alone in 1994 (excluding the "free" support services).

But now U.N. peacekeeping means almost anything—feeding the hungry, responding to "911 calls" (Secretary General Boutros Boutros-Ghali's favorite formulation), holding elections, building national infrastructure—that the U.N. wants it to mean. And this is a U.N. that is avidly seeking "new" missions in the post-Cold War world.

In Cambodia, peacekeeping meant preparing for "free and fair" elections in what essentially remains a war zone. Yet the Vietnam-controlled regime that lost the elections is still effectively in power. Cost: in excess of $2 billion.

In Somalia, peacekeeping meant pacifying warring tribal factions, then feeding the war's innocent victims, then (unsuccessfully) running the principal warlord to ground. Now the warring factions are back at it. Cost: $1.5 billion and counting, plus 30 Americans and scores of other troops dead. In Haiti, peacekeeping meant invading a sovereign country (without opposition or casualties, fortunately) to restore a deposed president. With operational control now passing from the U.S. to the U.N., there are disquieting signs that violence could resume. Cost: as much as $1 billion so far, and no telling how much more for how much longer (one estimate is about $180 million for the next six months).

In Bosnia and Croatia, peacekeeping has become surreal. A force of almost 25,000 keeps open supply lines to civilian populations—whenever the Serbs choose to let the convoys through. The U.N. command has demarcated various "safe havens," which the attacking Serbs have violated with impunity. Retaliatory NATO airstrikes, which require U.N. concurrence, have been too little, too late. This U.N. peacekeeping force cost more than $1 billion in 1994. A "peace-enforcement" operation of open-ended duration, with peace nowhere in sight, may require at least 50,000 troops at an annual cost of $3 billion. The recently retired U.N. commander in Bosnia,

The High Cost of U.N. Membership

Somewhere in the *United States Budget for Fiscal Year 1996* there is an entry for just about everything, from midnight basketball to research on the reproductive cycle of fruit flies. But search as you will, nowhere in that huge tome that documents the roles and responsibilities of $1.6 trillion's worth of national government is there a total for projected U.S. contributions to the United Nations.

The U.N. is not exactly a new kid on the block. It will celebrate its 50th birthday this June; and after tens of billions of dollars in U.S. contributions over the years, it might be supposed that *someone* would want to assess the value to us of membership in this multinational conglomerate. A total annual budget figure would help.

To get started on such an evaluation, here are the numbers for the 1994 calendar year, as best as I have been able to put them together:

- The U.S. share (25 percent) of the U.N. administrative budget, which funds all Secretariat staff and programs: $298 million.
- The U.S. share (31.7 percent) of the peacekeeping budget: $1.2 billion.
- U.S. contributions to all U.N. specialized agencies (World Health Organization, Food and Agriculture Organization, High Commissioner for Refugees, et cetera): $368 million, exclusive of capital contributions to the World Bank and International Monetary Fund.

Cumulative total: almost $2 billion.

This total does not include the value of goods and services that the U.S. contributes voluntarily to the U.N. system as a whole. For U.N. peacekeeping operations alone, voluntary contributions in 1994 represented about $1.7 billion in "fair market" value, and some sources put the total in excess of $2 billion. (The administration claims some of this total has been reimbursed, but does not say how much.) For other programs, a reasonable estimate is even more difficult for an outsider, but there is a steady flow of experts from the Washington bureaucracy to U.N. headquarters, and similar ties with the specialized agencies. Add in these numbers, and the total approaches $4 billion.

That isn't small change. Now that we know roughly what membership costs us, the question we need to answer: What does our investment in the U.N. buy us?

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Lieutenant General Sir Michael Rose of the United Kingdom, may have said more than he intended in a BBC documentary: "We are not here to protect or defend anything other than ourselves or our convoys."

The point is not that these U.N. operations are all without merit. But all of them were set in motion under Chapters VI and VII of the U.N. Charter as responses to "threats to peace and international security"—and, except for Bosnia, where even the U.N. claims only a "humanitarian" mission, not one of them meets that rigorous standard. They are of questionable legitimacy, and the U.S. picks up 31.7 percent of the tab.

Besides paying the biggest share of the bills, the U.S. has acceded to all of these operations as one of the Security Council's permanent five. In Haiti and Somalia, the U.S. committed armed forces as well. Right now, anywhere from 50,000 to 70,000 U.S. military personnel are assigned to U.N. peacekeeping operations. (Exactly how many is in dispute. The House puts the number at 70,000; Perry testified to "just under 50,000" as of late January.) Some are serving in war-zones, some are offshore or in aerial surveillance and interdiction missions, some are in support roles. But all are serving under the authority only of U.N. Security Council resolutions as implemented by the U.S. commander-in-chief.

What Can Be Done?

This is the range of problems that Congress now confronts. The bills pending in Congress address the issue of U.S. contributions to an open-ended U.N. entitlement program in the guise of peacekeeping. But they also raise a genuine constitutional issue: the commitment of U.S. armed forces—arguably, the ultimate exercise of public authority—without the explicit consent, or even involvement, of Congress.

The House act passed in February inhibits, but does not prevent, the president from engaging U.S. armed forces in U.N. peacekeeping operations, and in particular from putting U.S. forces under "foreign" and/or U.N. command. (In the latter case, the U.S. officers in direct command of U.S. troops would retain the right to report to and to appeal any orders they receive to "superior U.S. military authorities." The president, moreover, would have to state in a prior legal memorandum to Congress the grounds for believing that such an action is *not* a violation of the Constitution; the burden of proof is on the president.) The president has to give Congress 15 days prior notice of any action contemplated or, in an emergency, report within 48 hours afterward. The president has to justify the action taken as "necessary to protect national security interests of the United States," and project as best he can both the cost and the duration of the operation. These requirements should have a chilling effect on the president's propensity to undertake such commitments lightly. One can only wonder, had this been the law at the time, how the president would have justified our engagements in Somalia or Haiti, and on the grounds of what "essential" U.S. national interest.

There is more. The House act makes it very difficult indeed to fund any expansive U.N. peacekeeping operations at all, especially new ones. Effective October 1, 1995, there is to be a 25 percent cap on the U.S. share of U.N. peacekeeping—period. Moreover, no defense appropriations can be used for *any* U.S. contributions to U.N. peacekeeping, whether assessed or voluntary: All contributions have to be funded explicitly, from ear-

Reuters / Bettman

Fun and games: U.S. Marine Brigadier General Frank Libutti, serving in the early days of the humanitarian mission to Somalia two years ago, finds time to entertain local children near the airport where his troops were stationed.

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marked appropriations. Finally, the president is required to present an annual accounting of the "fair market" value of all voluntary in-kind contributions provided to the U.N. in the prior year and, unless reimbursement is received, offset the total "incremental" cost of these contributions against the U.S. assessment for the year ahead.

The loophole opened here, and it's a huge one, is the definition of "incremental." Presumably the base pay of U.S. military personnel would be the same whether or not they served in a U.N. peacekeeping operation. But what about tanks and jeeps and aircraft, or air- and sealift? How in such cases are add-ons computed, as against the "base" cost of the U.S. military establishment's sophisticated hardware? And how are costs assigned to wear and tear on the U.S. forces as well as to providing necessary downtime and retraining? The proof of this effort to restrain peacekeeping costs will depend on the rigor with which the test is applied. Chairman Benjamin Gilman (R-NY) of the House Committee on International Relations estimates that the offset will be in the range of $300 million to $400 million, rather than the $1.7 billion for total voluntary contributions in 1994.

In his first address to the U.N. General Assembly, in September 1993, President Clinton said that he favored a 25 percent cap on U.S. peacekeeping assessments and that the U.N.—and he might have added, the U.S. representatives there—would simply have to learn to say "no" to all but the most urgent requests for "peace" operations. The bills now in Congress take him at his word.

How Not to Reform the U.N.

It is instructive to recall the lessons of the Kassebaum-Solomon experience. No sooner had the amendment taken effect than the ranks of the U.N.'s leadership were filled with born-again reformers. The fewer the U.S. dollars, the greater their zeal. The then-Secretary General, Javier Perez de Cuellar, appointed a select experts' committee that very nearly—the Soviets said "no" at the last minute—recommended a major U.N. restructuring that would have satisfied about 99 percent of the amendment's intent. The experts' committee was able to enact the requirement that the administrative budget could move from committee to the General Assembly plenary only by consensus. This consensus procedure amounted to a U.S. veto on the U.N. budget.

But a veto is only as good as the will to use it. Budget growth in the following two years was held to zero, but not a finger was laid on the waste, duplication, and overlap, nor on the obsolete programs that beset the U.N. then, and still do. On the basis of that two-year record, the president—Ronald Reagan himself—certified to Congress that the "spirit" of Kassebaum-Solomon had been satisfied, and full U.S. funding resumed.

The U.N. paid no price at all for the endemic inefficiencies and uncontrolled spending that gave rise to the congressional reforms in the first place. The dollars that were withheld are now being paid up. These are the very "arrearages," in fact, that have fueled charges that the most generous contributor to the U.N. is the world's number one deadbeat.

There are some obvious lessons to be drawn from this experience. First, merely focusing on the process by which the administrative budget is adopted is not enough. The loophole of "going along" is too big, and offers too easy a way out. Second, the budget itself is not quite the issue: the programs funded by the budget, and the priorities among them, have to be scrutinized year after year. Finally, for any U.N. reforms to take firm hold—which calls for a persistent effort by the U.S., leading a coalition of the like-minded within the U.N.—the president and Congress have to be reading off the same page. Most of the job, in fact, has to be done by presidential appointees and the permanent bureaucracy responsible to them. Congress can (and should) establish the benchmarks; but, in the absence of determined executive action, nothing much will be accomplished.

NOW U.N. PEACEKEEPING MEANS ALMOST ANYTHING—FEEDING THE HUNGRY, RESPONDING TO "911 CALLS," HOLDING ELECTIONS, BUILDING NATIONAL INFRASTRUCTURE—THAT THE U.N. WANTS IT TO MEAN.

Tightening the Screws

This time around, Congress is considering sterner measures: a stronger version of last year's Pressler amendment. Senator Larry Pressler (R-SD) tied full U.S. funding of U.N. operations to the president's certification that an independent U.N. Office of Inspector General was up and running. This, in turn, was a follow-up to the key recommendation of the Thornburgh Report, in 1992-93, that an inspector general with clout was essential to jumpstart meaningful U.N. reform. The House act requires the withholding of 50 percent of the U.S. peacekeeping assessment and all voluntary contributions every year, as well as 20 percent of the regular assessment, pending the president's annual certification that an independent U.N. inspections office is in operation and that the inspector general has been chosen on the basis of professional credentials, has subpoena power over U.N. personnel and records, issues annual and unexpurgated public reports, and that the inspector general's recommendations are being implemented.

Congress, for its part, has to be prepared not to take "yes" for an answer. The best way for the U.S. to save money is for the U.N. not to waste it—and that means probing behind the numbers to the U.N. programs that ought to be trimmed back, or zeroed out, or rejected in the first place. Congress must be on the right track,

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because administration witnesses are already warning of the imminent collapse of the West—maybe even of U.N. peacekeeping as we now know it—if this total legislative package is enacted. And that, of course, is the point.

I would add two modest proposals to the package. First, the U.N. ought to overhaul the present scales of assessments. Congress should require the president to open negotiations at once to revise both the administrative and peacekeeping assessment scales within one year. Capping the peacekeeping assessment at 25 percent is only a start: all of the allocations, which are supposed to correspond to the GNPs of the U.N. members, are hopelessly out-of-date. Russia, for example, pegged at 10 percent for the administrative budget and 11.5 percent for peacekeeping, pays too much. China, on the other hand, which claims a GNP in excess of $2 trillion, pays less than 1 percent on both scales. The spread overall is from 25 and 30.4 percent for the U.S. (for the administrative budget and peacekeeping, respectively) to one-hundredth of 1 percent for 85 countries—close to a majority of the U.N.'s total membership of 185. Saudi Arabia and Brunei are ranked equally with Benin and Bangladesh.

A second proposal refers to the sidebar (page 63) on "The High Cost of U.N. Membership": What in fact do we spend on the U.N., on all of its various parts, including also the value of the in-kind voluntary services that the U.S. routinely contributes? No one, as best I've been able to determine, keeps an authoritative ledger; someone ought to. Congress should require that the president submit an annual, comprehensive U.S./U.N. budget request. That way, we might better be able to answer the question with which we began.

What Is the U.N. Worth to Us?

On balance, I believe the answer has to be "not much." Even if the U.N. were to be substantially reformed—which in my judgment is very unlikely—the answer would be only slightly more upbeat.

The U.N. is what we made it. There is little evidence that, in the late spring of 1945, the U.N.'s founders had any inkling of the proliferation of mini-states that would result from the breakup of the colonial empires in Africa, Asia, and Latin America. Simply gathering together all the countries in the world into one grand and ill-assorted institution did not then, and does not, now constitute a "community" at all, and certainly not a community of like-minded liberal democracies with a consensus on how to design and maintain the framework of a tolerable world order. Yet that is the fundamental premise built into the U.N. Charter—which today is essentially a fraud.

At least half, and as many as two-thirds, of the U.N.'s 185 members should, on the Charter's own principles, either be expelled or suspended. Yet they comprise a working majority of the U.N. General Assembly. They adopt the budget, allocate resources, and permit a significant part of these resources to be wasted. Much of the waste, as noted already, is on redundant socioeconomic programs that they perceive to be beneficial to themselves; the rest pays for plum jobs in the Secretariat for their own elites. The fact that these programs do more

The U.N.'s Waste, Fraud, and Abuse

In 1992 and 1993, former U.S. Attorney General Richard Thornburgh served as U.N. Under-Secretary-General for Administration and Management with a specific mandate to evaluate the U.N.'s effectiveness. After a year on the job, he prepared a report on U.N. mismanagement and waste and tried repeatedly to galvanize the secretary general into effective action. In frustration, he went public with his recommendations and testified on March 5, 1993 before the House Subcommittee (of International Relations) on International Security, International Organizations, and Human Rights. Here are some highlights of his report and testimony:

Inspector General. Key recommendation: to uncover "waste, fraud, and abuse" within the Secretariat, an independent, professional Inspector General has to be named, with full subpoena power over U.N. personnel and records.

Peacekeeping Field Operations. A McKinsey & Co. management audit uncovered no less than $100 million in annual waste owing to duplication and overlap, managerial incompetence, and lack of communications within the field structures.

"Featherbedding." One example: 500 typists employed to transcribe the dictation of translators. Use of basic word processors would save about $20 million a year.

Financial Management. McKinsey & Co. recommended improvements in foreign exchange transactions, centralization of cash management, and automated payments. Projected annual savings: $12 million to $15 million.

Career Service. Nearly 90 percent of all staff assessments are positive. As Thornburgh notes, not only does incompetence carry no penalty, there is no incentive for meritorious service. Top jobs in the U.N. Secretariat are compensated up to 150 percent of comparable U.S. supergrades—and it's all tax-free.

"Consultants." Although it is in violation of the U.N.'s own regulations, top bureaucrats are routinely "retired" (with lump-sum separation pay up to $500,000) and then immediately rehired as "consultants" at 85 to 100 percent of previous pay.

Procurement. In 1990-91, of 5,450 contracts let, only 17 percent were put out for competitive bidding, contrary to U.N. regulations for all except "emergency" cases.

Printing. About two-thirds of all printing needs are generated during the annual three-month General Assembly. Yet the print shop is fully staffed year-round. Contracting out during peak times would, according to Thornburgh and a *60 Minutes* investigation (broadcast September 20, 1993), save "tens of millions" annually.

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harm than good, by confirming them in their bias toward statism, cuts little ice. The U.N. is their organization. Not surprisingly, they use it in their own interests.

Now, it will be objected that all this is beside the point, that the General Assembly itself is beside the point: simply a shadow-play, in which the mini-states debate toothless (if often mischievous) resolutions that nobody heeds. Subsidizing this exercise is, so the argument goes, the price we pay for maintaining a functioning U.N. when we need it.

"When we need it": This always is the mantra of last resort. It apparently refers to those "threats to peace and international security" to which only the U.N. Security Council can respond with force or the threat of its use. Thus Warren Christopher argued, in vigorously opposing the limits on U.S. participation in U.N. peacekeeping, that their effect would be to force the U.S. to "go it alone." It's either the U.N., such as it is, or isolation. But "going it alone" looks not so bad, if it means standing aside from, even vetoing, ill-defined, open-ended "peace" operations that arguably exceed the U.N.'s authority and certainly exceed its capabilities or demonstrated competence. Secretary Christopher may make unapologetic isolationists of us all.

Reuters / Bettman

Tête à tête: A U.S. major confers with a lieutenant of Mohammed Aidid in 1992, before the Somali warlord became the bane of U.N. forces in that country.

In some circumstances, our government's own judgment of the national interest may coincide with U.N. Security Council resolutions mandating forceful responses to "threats to peace." North Korea's invasion of the South was one such circumstance, Iraq's aggression against Kuwait another. But in both cases, it was the prior U.S. judgment, and its firm commitment to resist aggression, that carried the day in the Security Council. The U.S. and its like-minded allies would have taken the actions they deemed necessary, with or without the cover of U.N. resolutions. It may well be, in fact, that the U.N. served more to inhibit than to unleash the resulting "peace-enforcement" operations, and limited their effectiveness as a consequence.

Looking back over these last 50 years of U.S. national security policies, what is most striking is the almost total absence of the U.N. from the historical record. When something does matter, whether it is an alliance to deter aggression (NATO) or carrying out an effective foreign assistance program (the Marshall Plan) or negotiating the rules of free and fair international trade (GATT), the United States invariably has entered into multinational engagements with the genuinely like-minded. This should come as no surprise. It is the mark of a serious country, seriously pursuing its national interests.

Most of the U.N.'s success stories have in fact been those of the results-oriented specialized agencies—as, for example, the virtual eradication of smallpox (WHO), the care and feeding of refugees (United Nations High Commissioner for Refugees), and the green revolution in South Asia (several agencies involved). Many of these agencies predate the U.N. itself. And the most successful have been those most careful to insulate themselves from the "political" U.N. in New York.

For now, it is probably enough just to cut back on the U.S. commitment to the U.N., to be discriminating in acceding to the use of force in U.N. "peace" operations, and to prevent as much costly mischief as possible. The approach being taken by Congress seems about right—but no less will do.

The threat to withhold consensus on the administrative budget, vigorously applied, could squeeze a useful amount of fat from the Secretariat. Insisting on an independent inspector general is not about to produce a lean and mean U.N. bureaucracy overnight, but every little bit helps. In the specialized agencies, picking and choosing among programs worth supporting—as we do in UNESCO, even as a non-member—makes a lot of sense. A runaway Security Council calls for particular vigilance, and an ever-ready veto, which the total package of congressional limitations should satisfy—yes, Mr. Secretary, even at the risk of "going it alone."

I fear that putting the U.N. out of its misery altogether would incur unacceptable costs. The predictable firestorm among our allies would weaken relationships that are far more important to us than the U.N. itself. It may be cowardice, or it may simply reflect the enormous effort involved in fundamental U.N. reform for a rather modest payoff. But I would settle for putting the U.N. back in its box and keeping our eye on it. A wary eye, and a parsimonious one. ☎

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Did Your Mom Eat Your Homework?

Schools Shift the Blame for Academic Failure to Parents

Debra J. Saunders

Parents and politicians tend to blame the education establishment for the sorry state of learning in American public schools. The educrats are not taking this lying down. They've found their own scapegoat: parents. Public-school boosters have decided that lax parental involvement is the reason children fail. And so some have begun turning the schools into Big Mother.

The newest trend in education "reform" is the inclusion of parental-education programs and curricula that require parental involvement in student activities. President Clinton's Goals 2000, enacted last year, includes an entire section on "parental assistance," also called "parent training." Some schools even require parents to sign a pledge that they will perform assigned, pseudo-educational tasks, which could include playing "Simon Says" or rolling cookie dough with their third-grader.

Of course parents should be involved in their children's education. And, of course, problems at home—messy divorces, absent fathers—can cause problems for children at school. But the "parent education" movement seeks to blame all parents for academic failure, not just parents who are neglecting their kids or destroying their own families. The movement does not seek to make parents more demanding of their children, nor, no surprise, of the schools. To the contrary, new curricula urge parents to be nurturing and uncritical—sort of the way public-school officials would like parents to treat them.

This philosophy is becoming institutionalized in California. Consider the math curriculum rated most highly—a perfect 100 percent—by a state education panel that chooses which textbooks should qualify for state subsidies. "Investigations in Numbers, Data and Space," from the Dale Seymour Publications Series, appealed to the panel because it included home assignments that require parental involvement.

New New Math

Under this curriculum—call it New New Math—which eschews rigorous memorization of multiplication tables, teachers send home periodic "Dear Family" missives to

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third-grade parents with the following advice:

- "Don't worry if your child doesn't use a ruler accurately yet—it's a skill that will develop over time, with more and more opportunities to measure."
- "Children have very interesting ways to figure out these problems. You can help by asking your child to tell you how he or she got an answer. There are many ways to do these problems—and no single 'right' way. What's important for your child to know is how his or her own way works."
- "When your child has an assignment to do at home—such as collecting data about the ages of pets and oldest relatives—offer your help, and ask your child about what he or she is doing in class."
- "There is one thing we ask you not to do. We won't be using some of the step-by-step methods of addition and subtraction in this unit that may be familiar to you—nor will we be teaching borrowing or carrying. All too often, we have found that children this age memorize these step-by-step procedures and do not learn how to apply the processes of addition and subtraction. This year we will support students in developing several strategies for adding, subtracting, multiplying and dividing, and we prefer that they do not memorize a single set of procedures."

Educational Relativism

This New New Math adds up to a new way of letting schools off the hook for not teaching children. It's not enough that we have moral relativism in English and Social Studies. Now we have it in math, too.

The Dale Seymour third-grade program instructs parents to "make roll-out cookies with your child" to explore shapes, include children in family math decisions (such as how many floor tiles to buy) and explore "fair shares," which is politically-correct educratese for "sharing food." Clearly the intent of these instructions is to force parents to spend quality time—at least as defined by educrats.

So what's wrong with that? Supporters argue that parents, especially single parents, may not spend enough quality time with their children and would benefit from programs that nudge them to do so. But not all parents need this nudge, and some object to the schools' sledgehammer approach. And many may object to a pervasive touchy-feely, there's-no-such-thing-as-a-wrong-answer attitude being foisted upon parents.

In Petaluma, California, a mandatory high-school course called Human Interaction, or HI!, has provoked an angry reaction from some parents.

They resent take-home assignments that tell them how to be parents. The program's take-home and in-class "teen/parent" worksheets have included these queries for ninth-graders:

- Whether "how much money your parents make" is a private issue or can be discussed in class.
- Whether any "close relatives" has ever suffered "alcoholism" or "mental illness."
- Whether students "feel OK about crying" and "allow" themselves to do so.

Other questions explore whether students recycle, eat fast food, use public transportation and "accept the way [they] feel about things."

According to administrators, the course is a hit with kids. You can see why. No boring memorization or flexing of the gray cells here. Student assignments encourage teens to go with their feelings. "Denying" them, they are told, is passive behavior. A class worksheet on "family systems" assures teens that "open" families are " 'pure' democracy," while "closed" families are "hierarchal."

Federal law prohibits schools from asking children for

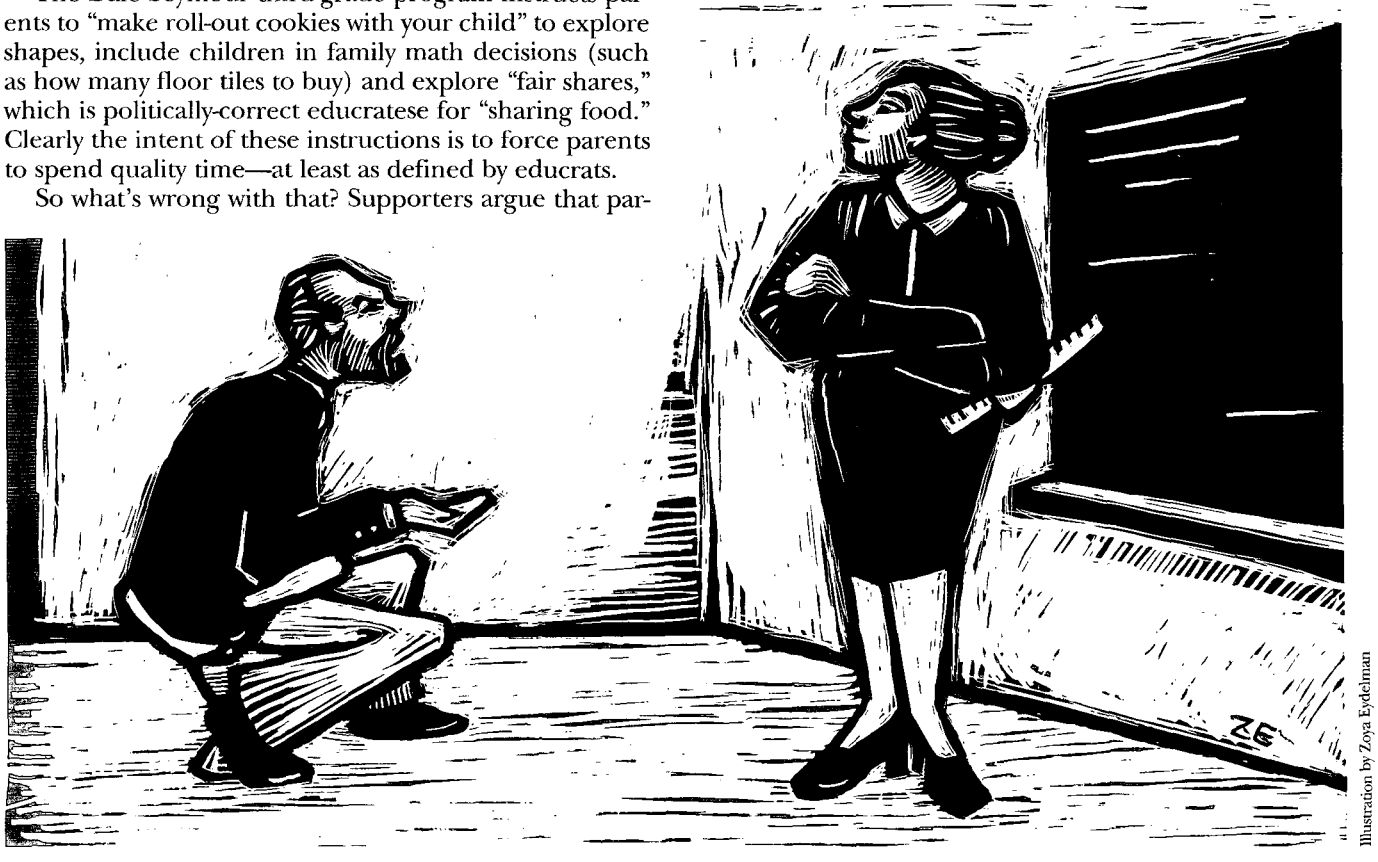

Illustration by Zoya Eydelman

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highly personal information without parents' permission. The district explains that teens are meant to fill out the worksheets for their own private use, but at least two teachers in Petaluma told students to turn in signed worksheets. And Stephen Collins, the assistant superintendent of the Petaluma School District, admitted last fall that, once such worksheets are passed out, it is very likely that these topics will be discussed in class.

Petaluma parents Jay and Tura Avner pulled their two children from HI!. "They want to be surrogate parents," Tura Avner complains. She especially resents the district's assumption that "unless the schools taught me how to manage my kids, they'd be running wild in the streets."

But the Avners' efforts to liberate their children have not been easy. The district would not assign the Avners' son to an alternative, academic class. Instead, he was forced to be a counselor's aide for that period. Worse, the district dragged its feet for months before granting a "waiver" from this program. So much for "voluntary" parental education.

District administrators sometimes insinuate that dissenters are right-wing religious fanatics. These days, that is a standard response to complaints. State law allows parents to pull their children from classes for reasons of religious belief or moral conscience. The Petaluma district, however, wouldn't let parents remove their children without a fight. Last year, the superintendent's cabinet, the district counsel, and HI! officials crafted a waiver form requiring parents to list their "reason(s) why they did not want their children to attend, and declare that they would provide appropriate alternative educational experiences" on HI! topics. This tactic clearly was designed to prompt parents with religious objections to proclaim themselves, giving administrators potential grist for the anti-fundamentalist mill. Yet California law clearly protects parents' right to keep private their reasons for objecting to a class.

The kicker: Until the Rutherford Institute, a religious-freedom advocacy group, threatened a lawsuit, the district proposed that parents sign the waiver forms "under penalty of perjury." The penalty for perjury in California is a jail term of up to four years. Was the district planning to arrest parents who don't teach their children recycling? "I don't know that we were going to do anything," assistant superintendent Collins explained at the time. "We knew that when we went into this it was going to be revised."

Collins was forthcoming in his defense of HI!'s "individual growth, physical growth, and social growth" curriculum. It is "pretty generally believed," he said, that most parents don't communicate with their children. Then there's the if-schools-don't-teach-this-children-will-die argument. Collins explained that the board determined that HI! "was a matter of life and death." "If students don't have the tools to deal with the pressures" and destructive elements in life, he said, the board feared teens "would make the wrong choices and it would be fatal."

This thinking betrays a strong anti-parent bent. Parents, apparently, fail to instill their children with self-esteem or AIDS awareness, so the schools must fill the void. Educrats have concluded that children who ignore their oafish parents' words on, say, safe sex will miraculously heed their teachers. Worse, HI! assumes that teens will build more self-esteem by talking about their feelings than by learning to speak a foreign language or play a musical instrument.

Similarly, New New Mathmeisters seem to have a Rousseauesque view that children will grasp math intuitively if not distracted by narrow-minded parents or teachers. For example, the California math-curriculum panel disapproved of exercises that are "generally under the direction of the teacher." That Californian teachers' unions have supported this shows how far they have moved from their support of traditional pedagogy.

HI! ASSUMES THAT TEENS WILL BUILD MORE SELF-ESTEEM BY TALKING ABOUT THEIR FEELINGS THAN BY LEARNING A FOREIGN LANGUAGE OR A MUSICAL INSTRUMENT.

Why Have Schools?

Maureen DiMarco, Governor Pete Wilson's education adviser and a critic of the New New Math, is baffled by this natural-learning approach. If kids learn so well by themselves, she asks, why have schools? "The assumption that, if children wander aimlessly they will automatically find all the prizes that are out there educationally is totally ludicrous," she says.

Despite the rhetoric about parental involvement, administrators favor things that parents don't like. A poll by Public Agenda found that 86 percent of respondents want students to learn arithmetic "by hand" before they use calculators. But a 1993 survey found that 82 percent of math educators thought that "early use of calculators will improve children's problem-solving skills and not prevent the learning of arithmetic."

If educators want parents to be involved in public education, it certainly isn't because teachers and administrators value their views. Parents in the Los Angeles Unified School District and elsewhere complain they have been systematically frozen out of power in school-based councils. The message: Be seen and not heard.

And maybe cough up some money for a field trip, books, or computers.

New New Math programs effectively freeze parents out in another way. Even as New New Math mavens ostensibly increase parental involvement, many new curricula don't even include textbooks. "The concept of what they mean by parental involvement in these materials implies the

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parents should be involved," says DiMarco, "but then tells parents not to impose their own math learning styles and knowledge on their children. And worst of all, when the student doesn't get what is going on in class and the parent has to help with the homework, too often the parent will be confronted with only a worksheet. There is no textbook that explains the work to be done—leaving the parent and the student without another alternative than just the teacher's explanation."

Sadly, parents are often the first to embrace parental education, even if *their* parents rarely helped them. A generation ago, it was believed that children learned best by working through their studies on their own. Somewhere along the way, educrats abandoned that notion and began to insist that parents assist with the homework.

In addition, the proliferation of AIDS, teen pregnancy, and single-parent families have led many to demand that schools take on responsibilities that parents 20 or 30 years ago would never have dreamed of giving up. Today, the generation that believed in questioning authority is asking the authorities to raise their kids.

Wrong Target

Brace yourselves—things may grow worse. Petaluma has begun a pilot program for grade-school counseling called SUCCESS, an acronym for "Self Understanding Can Create Everlasting Secure Selves." Counselor Susi Brodie told the *Petaluma Argus-Courier* that counseling children often involves counseling parents.

Big Mother's attention wrongly falls upon functioning families. Neglectful parents aren't going to roll out the cookie dough to teach shapes; only families who already bond with their children will. Troubled students largely lack structure, not attention.

Two years ago, I rode in a van operated by the San Juan Unified School District, in Sacramento. The 35-foot van housed the district's mobile Student Attendance Review Board (S.A.R.B.). According to Carolynn Salter, the district's child welfare and attendance counselor, the district purchased a van for S.A.R.B. hearings because parents frequently failed to show up for their children's truancy hearings.

The four students the van visited that day were in elementary school. One kindergartner had missed 57 days, while his second-grade sister had missed 66. Their prognosis was frightful: They were both to be kept back a grade. The boy couldn't even use scissors.

Schools and government should intervene in such clear-cut cases of severe child neglect. But Big Mother does not have the stomach to deal with these messes. A bill sponsored by the late B.T. Collins, a GOP assemblyman, that would have ended welfare benefits for parents with truant children never made it out of committee.

Instead of getting tough with parents who don't provide their children with basic needs—nutrition, shelter, education, stability—the schools have turned their attention where it is needed least.

They target parents who provide for their children and are well-meaning and gullible enough to be taken in by faddish curricula. The parental-involvement movement seeks to teach parents to value self-esteem over academics. This is a clever ploy by a system that is shortchanging American children.

As happens in so many areas these days, the government is treating good people like bad people, while letting the worst problems fester.

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FISHER OF MEN

A Baltimore Minister Promotes Black Christian Manhood

HERBERT H. TOLER JR.

The alienation of African-American men from the churches of their communities is perhaps the single greatest tragedy facing black America. "While 75 percent of the mosque is male, 75 percent of the black church is female," laments Jawanza Kunjufu, author of *Adam Where Are You?: Why Most Black Men Don't Go to Church.* It wasn't always so: In earlier generations, black men were much more involved in the church, and their religious faith bolstered their commitment to families and neighborhoods. The most effective way to reduce black crime, and to strengthen black families, may be to return African-American men to their spiritual roots.

A church in Baltimore that is itself returning to its roots is making great headway in its ministry to men. Bethel AME Church, founded in 1785, is the second-oldest church in the African Methodist Episcopal denomination and a venerable institution squarely in the black political mainstream. Bethel hosted much of the NAACP's national summit last year. Its pastor, Frank Madison Reid III, is the son and grandson of AME bishops, and his step-brother is Baltimore Mayor Kurt Schmoke. Reid was educated at Yale University and Harvard Divinity School. A veteran of the civil-rights movement, he served later as pastor of Ward AME Church, an important congregation in Los Angeles. He has earned a black belt in karate, a prominent image as a local television personality, and a position as an intellectual leader of the African-American church.

A GROWING CONCERN

When Reid, 43, was named pastor of Bethel in 1989, the congregation had 7,000 members, 25 percent of them men. Today, its membership numbers 10,000, 40 percent of whom are men. Each week, 4,400 of the faithful attend one of the two Sunday services, and 45 percent of them are men. Secular agencies and politicians who want to improve urban life should take note of Reid's ministry. Black men in his congregation have reconciled with their wives, resumed responsibilities to their children and communities, committed themselves to becoming productive citizens, and dedicated themselves to God.

Rare among traditional black churches, economic classes mix at Bethel. The church is located in the Druid Hill section of Baltimore, a historically working-class neighborhood now infested with drugs and dilapidated public-housing projects, but it draws its membership from middle-class suburbs as well as the surrounding neighborhood. At services, blue-jean-clad youths pray while holding hands with middle-aged professionals and families dressed in their Sunday best.

Reid attributes the growth of his congregation to a return to its Methodist roots. The Methodist movement, started by Charles and John Wesley in England in the 18th century, was spread throughout America by preachers such as George Whitefield. When Richard Allen and other blacks were barred from praying in a Methodist church in Philadelphia in the late 1700s, they established the AME church. Early Methodism emphasized moral rectitude and discipline, revivalism, the study of Scripture in Bible groups, and personal conversion. The movement played a leading role in the national crusades against drunkenness and slavery. "We meet the spiritual needs of the people because of our focus on prayer and the mystical nature of connection between the individual human being and the Holy Spirit," says Reid.

Worship at Bethel is boisterous; dancing and shouting infuse the atmosphere. Reid sees this as a return to the spirit of early Methodism, when religious intensity energized powerful campaigns for the betterment of society. Reid points with pride to the 18th-century English Methodists who "went into the prisons and streets with a revival that saved England from the same revolutionary fate as France." And he cites as a model the 1870s revival at Philadelphia's Bethel AME Church, which prompted a moral uplift in the city's black population.

Reid's ministry to men is in the early Methodist tradition of vigorous outreach to the unchurched, wherever they may be found. As the pastor of Ward AME in the early 1980s, Reid concluded that the church wasn't addressing the needs of young men on the street. He also wondered why black males were joining the Nation of Islam or Los Angeles gangs like the Bloods and Crips, but not the Protestant churches. "Jesus said, 'I will make you fishers of men,'" he says. "But either the church wasn't using the right bait or the lines weren't strong enough to

HERBERT H. TOLER JR., *a Bradley Fellow at The Heritage Foundation, is writing a book on the African-American church.*

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bring the fish into the church."

How does Reid reel the men in at Bethel? His television services encourage men to visit the church. Highly approachable, he invites men to attend his church when he meets them on Baltimore's streets in his daily travels. His use of the term "brother" suggests kinship and inspires male members to actively urge their friends to accompany them to Bethel.

Reid also uses a four-step plan that relies on "respect" for black males, teaching the "roots" of Christianity, "reformation" of habits, and "resurrection" of lives. At Sunday services, male visitors are welcomed with applause and hugs. "We want to express our joy for your presence in the Lord's house," Reid says from the pulpit.

Reid recently invited Louis Farrakhan of the Nation of Islam to speak at Bethel. Reid disagrees with Farrakhan's theology and racial and religious separatism. But Reid wanted men who are attracted to Farrakhan to be exposed to a church that emphasizes Christian manliness.

Men who visit Bethel also find an atmosphere that is masculine as well as feminine, unlike many of the churches they are used to. At age 13 or so, many black youths tend to drop out of church. "At that age, black males who were once drawn to the choir as youth no longer sing, because robes look like dresses," says Reid. "Their Sunday school teacher, superintendent, and youth adviser are women. Their reaction to the religious femininity of the church drives them out of the church and into the seduction of a gang."

At Bethel, men as well as women occupy important board and teaching positions, and Reid makes sure that men won't have to leave the church to find opportunities for brotherhood. In addition to all-female Bible study and family Bible programs, Bethel offers weekly all-male Bible classes. There, stories from Scripture inspire men to talk freely about difficulties in their relations with women, and—Reid calls this a common problem among black men—the resentment they may feel toward absent, domineering, or abusive fathers.

Every November, Bethel hosts a month-long celebration of men. Last year's activities included a retreat, African martial-arts experts, scholarly lectures, a Men's Day with noted personalities like talk-show host Tony Brown, and a week-long revival service at which 67 men, including some substance abusers, joined the church.

Aaron Goodman

MEN ARE EMPOWERED BY MORALITY, REID SAYS; THEY GAIN COURAGE AND CONVICTION WHEN THEY KNOW THEY ARE ACTING RESPONSIBLY.

Reid also attracts men to Bethel by setting strict standards of individual moral responsibility. Foul language, lying, cheating, and adultery are simply not tolerated. No drinking, smoking, or blasphemy is allowed in the congregation. In his sermons, Reid cautions the men against excessive anger, spitefulness, and abusive behavior created by high stress and low self-esteem. He advises them to restrain their anger through a close relationship with Christ. "If men are unable to handle their emotions," he says, "then they become prime candidates for abusing their wives or girlfriends and children, as well as their friends and neighbors and, ultimately, the community."

Reid is convinced that exacting standards of behavior do not drive men away, but attract them. Men are empowered by morality, he says; they gain courage and conviction when they know they are acting responsibly. He argues that the appeal of Malcolm X and Louis Farrakhan comes more from their moral authority than their religion. Christianity, too, must emphasize its firmness along with its love and compassion. "Jesus drew strong fishermen to him," Reid says. "His moral authority was a magnet."

Reid challenges the males in his congregation to be men rather than boys. "You can be 65 and still be a boy," he preaches. "You can be 45, married with children, and still be a boy. The difference between a boy and a man is that a man loves God and takes responsibility for himself and others."

Many congregants fail to live up to the church's standards. But all men are welcome. No stigma is placed on former convicts and drug-abusers. At each service, Reid asks men who have been incarcerated to stand and be applauded. Reid preaches that everybody in the church is sinful, citing the biblical injunction, "We were born in sin and shaped in iniquity, and we all have fallen short of the glory of God."

Bethel provides wrongdoers with encouragement coupled with discipline. Biblical passages are cited to show why the behavior in question is wrong. The church is firm in response to wrongful deeds, but forgiving. The man admits his error, and he and Reid discuss ways to make restitution and bring healing for the wrongs he has committed. Reid strongly emphasizes restitution, arguing that one has a responsibility to bring wholeness to that which one has broken.

Changa Onyanga used to be a lieutenant in the drug culture. When he first entered Bethel to visit a former

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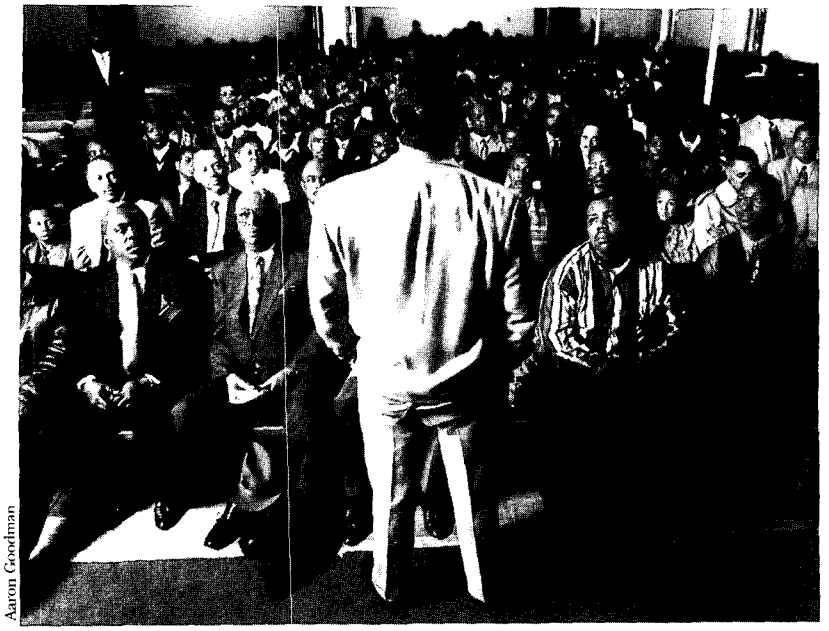

Aaron Goodman

MEN CAN BE BOYS REGARDLESS OF AGE, REID SAYS; THE DIFFERENCE BETWEEN A BOY AND A MAN IS THAT A MAN LOVES GOD AND TAKES RESPONSIBILITY FOR HIMSELF AND OTHERS.

member of his gang, he had no respect for ministers like Reid. "I looked him up and down and pressed on." Onyanga says now. "I did not speak to him. Besides, preachers had a bad rap because they were not doing anything for people who needed a cause to champion."

Reid noted Onyanga's "terrible disposition" and responded. "No one walks around this church and does not speak," Reid said to him. "We are friendly and we speak to one another as Christians should." Reid had Onyanga's friend talk to him and teach him about the decorum of his church. Onyanga has since joined Bethel.

In preaching personal responsibility, Reid acknowledges his own errors. Happily married with two daughters, eight and two, Reid also fathered a son out of wedlock during an earlier pastorate in Charlotte, North Carolina. "I do not deny my 15-year-old son," says Reid. "He is a reality." Although his son lives with the mother, Reid remains a significant part of his life. He provides monetary and moral support and communicates regularly. Reid even has him stand up in the congregation when he comes to visit.

Reid tells the men that he has been where some of them are. Once they see that their spiritual leader is not above temptation, he believes, the men in his congregation can grapple more easily with issues of manhood and sexuality.

Reid argues that spiritual leaders must be honest with men about their own failings. Some black men resist attending church because they regard the preachers as hypocrites. Reid chides his fellow clergy for not practicing what they preach. "Just because they received the calling," he says, "does not mean they are above the struggle or the contradictions." Citing St. Augustine and other great religious teachers who have acknowledged their sinfulness, he says pastors must realize they are preaching to themselves as well as to their congregations.

Reid's ministry to men includes working with women to restore male authority in the home. Men will be better fathers and husbands and will participate more willingly in church and community life, Reid argues, if they are allowed to exercise authority as head of the household. This does not mean tyranny or dictatorial control, but rather loving responsibility. Reid teaches men to be the protector, priest, provider, and partner of the household. The Old Testament instructs the man to be "watchman for his family."

"We teach that the man should be the first person his wife goes to for prayer," Reid says. "If there is need for the pastor to come into the household, then it should be to pray for the family. But that can only happen if the man takes the leadership in making prayer a part of the household. The man should take the leadership for making sure Bible study is part of family life." Reid preaches that wives should submit to their husbands, but also that husbands must not abuse this authority. "Paul's letter to the Ephesians teaches us: 'Woman, submit thyself if your man loves you as Jesus loves the church,'" he says. "If the husband does not love his wife as Jesus loved the church, then she has no responsibility to submit to him. We submit to Jesus out of the fact that he loved us."

The principle of male headship does not mean that the husband must be the primary breadwinner. "We teach the men that wives' earnings should not bruise their ego," says Reid. "A husband should be thankful when a woman who earns more, or has more education, looks to him as protector and provider." The word "provider," Reid points out, comes from the Latin for "seeing." It means supplying a family's vision as much as providing its material sustenance.

Reid also teaches women how to respond to men in the household. Annette Brown, for example, used Reid's sermon on "a loving God" to endure six years of estrangement from her husband, Kevin. "There were times when my husband was gone for four days without contact," says Brown, "but pastor Reid's message told me to look beyond his faults and see his needs." Annette and Kevin are back together, and their relationship is stronger. He has joined Bethel and resumed his role as father of their

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two sons. He has even begun to prepare for the ministry.

Brown is the religious leader and disciplinarian of the household. He is also in charge of sex education. Brown settles family decisions after family prayer. Matters in which he reserves the final say include private school for their children, vacations, family transportation, his work hours, visits to relatives, and house-buying. But his wife controls the household finances. She submits to him because he submits to the church. "Kevin takes the authority in the household," she says. "When there is a decision, he makes the final decision." She reserves the right to veto any decision not in the family's best interest, but she adheres to Biblical scripture: Better to live on a corner of the roof than share a house with a quarrelsome wife. "I always uplift my husband," she says.

Reid denies that this approach oppresses women. "I have not talked to a single African-American woman," he says, "who has said 'no' when I have asked whether she would gladly submit to a man who loved Christ, who provided for her and her children, who would protect her, and was spiritual. They recognize that the submission would not be an oppressive submission, but a submission in partnership."

Reid encourages men to marry or, if they are separated, to reunite with the mothers of their children. But he does not always counsel marriage. "It makes no sense," he says, "to push together a couple that does not love each other. If the mother has become pregnant for the wrong reasons—out of lust, for example, or to get welfare payments—then it may not be possible for the father to exercise loving authority as head of the household."

"In an ideal world, it is easy to say, 'if you make a baby, then marry the mother,'" Reid says. "But as a pastor, I have to deal with the hard facts of family conflict. What happens to the child who grows up in a home where the parents hate each other because you made them get married? The child will grow up with their hostility and take it out into the world."

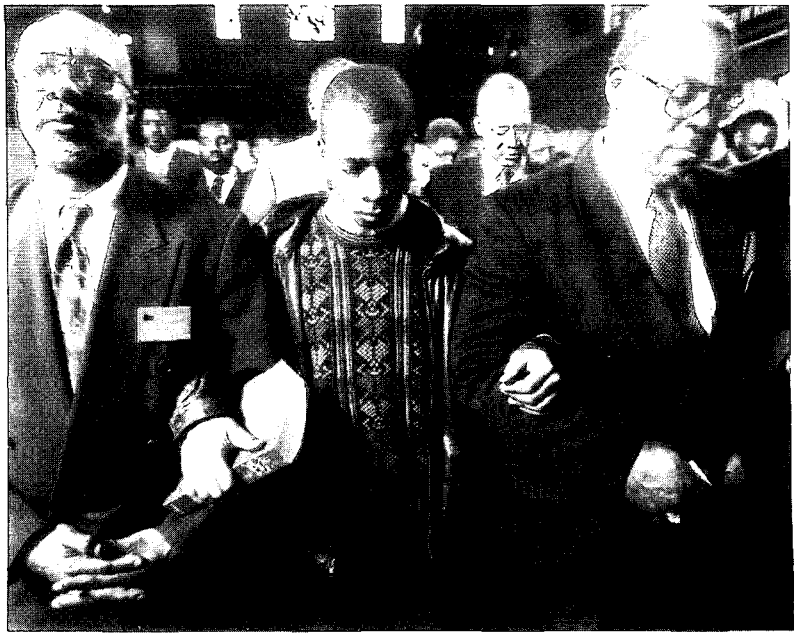
Reid thinks public policy treats African-American men with illegitimate children too harshly. He is especially troubled by a court system that cuts fathers off from their children. Men are presumed guilty in disputes over child support; visitation can be denied at the mother's request. Reid says the system "tortures fathers, who often want to do the right thing for their children, and is unfairly slanted toward the mother."

According to Reid, models of Christian manhood from African and African-American history are essential in attracting black men to church. Before becoming full members of Bethel, men must spend an hour with the pastor, who teaches them about Africans in the Bible and African-American church history. In this portion of his ministry, which he calls "roots," Reid tries to dispel the notion that Christianity is a Eurocentric, slave masters' religion. He teaches about the Africans Simeon (also called Niger) and Lucius of Cyrene, who ordained the Apostle Paul and Silas. He talks about the black abolitionist David Walker, who in 1829 published an anti-slavery tract known as the *Appeal.* This seminal publication demanded the end of slavery and appealed to the "God of the Ethiopians."

Another of Reid's models of black Christian manhood is Bishop Henry McNeil Turner. Born a slave in South Carolina, Turner became the first black chaplain of the Union army, a member of the South Carolina Legislature, and an advocate for the black emigration to Africa in 1874. His status as a bishop in the African Methodist Episcopal Church allowed him to carry the African-American religious tradition to South Africa more than 100 years ago.

Reid also likes to point out to his African-American audience that Jesus may not have been as European-looking as Hollywood and other forms of popular culture typically have portrayed him—white, blue-eyed, and fair-

ONCE THE MEN IN THE CONGREGATION SEE THAT THEIR LEADER IS NOT ABOVE TEMPTATION, REID BELIEVES, THEY CAN GRAPPLE MORE EASILY WITH ISSUES OF MANHOOD AND SEXUALITY.



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haired. He quotes a passage from the Old Testament book of Daniel that describes the Messiah, whose "feet were like burnished brass and his hair was like lamb's wool," and the New Testament book of Revelation, which similarly describes Jesus with feet "like bronze glowing in a furnace." Some church members, such as Charles Wiggins, say they were greatly affected by Reid's more raw, human portrait of Christ. "I had never heard a minister talk about Jesus who looked like me," says Wiggins, who joined in 1991. "I have found a home."

Reid brings in guest lecturers to talk about African-American manhood. In a recent program, Na'im Akbar, a Florida State psychologist who is an expert on black male psychology, urged men at Bethel to learn from "the courage of Dr. King, the defiance of the honorable Elijah Muhammed, the economic strategy of Booker T. Washington, and the uncompromising integrity of Paul Robeson."

Reid encourages the men to spiritually mold young males of the community. Through Project RAISE, they mentor teenagers from local schools. The men do not pressure them to join the church, but some do, attending Sunday services and Bible study with their mentors.

After a small riot erupted at Booker T. Washington Junior High School just before Christmas last year, Bethel began a direct partnership with the school. To prevent a reoccurrence, Reid summoned 150 men to the school. They lined the street in front of the school and remained watchful for arsonists, gangs, and visiting troublemakers. At the request of the principal, the men recently returned to supervise the children in the morning and afternoon. The pupils' tranquillity prompted one teacher to comment that they were "acting like children again."

Bethel assists men in running their households. In the class for new members, men are shown how to allocate their earnings. The 10-10-80 plan is a voluntary financial-management procedure wherein 10 percent of the new member's yearly earnings is contributed to the church. Another 10 percent goes into a savings account, while the remainder is used for living expenses.

Men who need additional help in managing their finances can attend classes on preparing tax returns, taught by a CPA who donates her time. Bethel has helped its members form food co-ops and investment clubs for pooling risk capital, purchasing bonds and mutual funds, and setting up funds for children's college tuition.

Reid and members of the congregation also find jobs for men. Some have convictions for crack use, weapons possession, or other felonies, while others possess little or no high school or college education. But Reid and other officers at Bethel often vouch for the character of church members who might not look good on paper.

Reid himself hires men as security guards for the church. The security team not only protects the church and its membership; it gives young men the opportunity to "soldier"—to wear a uniform, carry walkie-talkies, use one's physical strength, and become close friends with other men. Reid argues that these are the principal lures of being in a gang. So why not channel these male yearnings into structures that help build *spiritual* soldiers?

The security guards are called the Mighty Men of God after the warriors who followed King David. There is no better symbol than these men of Reid's teaching that Christianity is a manly as well as a womanly religion. The Mighty Men of God hold respected positions in the church, including the leader of Bible study, sexton, and security guard. They are responsible for the safety of the congregation and community, and combat random crime with periodic community patrolling.

Aaron Goodman

A Mighty Man of God stands watch outside the church.

The M.M.O.G. play an important role in the safety of the children who attend Bethel's day school. They greet parents and students each morning as they arrive. During the day, they guard against intruders and drug sales. At the end of the day, a Mighty Man of God sees each child safely across the street.

The regimen of the M.M.O.G. requires discipline. They meet for two hours every Tuesday and Saturday. Officers open the meetings with a personal inspection. They check for fresh haircuts, cleanshaven faces, and shined shoes. Members are not allowed to smoke or drink, so officers check for burns and yellow stains from nicotine or marijuana. M.M.O.G. maintain two uniforms: a suit and a security outfit for guarding the church.

After prayer, they discuss local and international events. Drilling, marching, and commands soon fill the room. An inspirational message from Reid follows, and the group closes with hand-holding prayer.

One member of the Mighty Men of God is Max Taylor. After joining Bethel at the age of 18, Taylor joined forces with local drug dealers and descended into the world of drugs, guns, and violence. He was responsible for preparing street corners for potential drug sales. "I cleaned street corners for drug dealers by any means necessary," says Taylor, 29. He reached a point, he says, when he realized that if he continued he would soon "be dead or behind bars for a long time if I was arrested."

In 1992, Taylor rejoined the church with rejuvenated purpose. He walked through local housing complexes challenging drug dealers, his old friends, for territory. "I was extremely cold and ruthless," says Taylor, "but due to the power of Frank Reid and God, I have changed." ☎

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Will These Women Clean House?

GOP Freshman Lawmakers Back Congressional Reform

Karen Czarnecki Miller

If 1992 was the "Year of the Woman" in American politics, then 1994 was the "Year of the Conservative Woman." Nine women incumbents—all liberal Democrats—lost their House seats in the November elections. Seven conservative Republican women were elected to the House freshman class, while moderate Republican Olympia Snowe moved from the House to the Senate.

The new Republican women in the House do not claim sisterhood with the so-called "women's agenda." Instead, they define the GOP's Contract with America as a "women's issue," and their campaigns centered on tax cuts, congressional reform, and reducing or eliminating scores of government programs and entire agencies. Sue Myrick, a two-term mayor of Charlotte, North Carolina, was named to the House Budget Committee because of her experience controlling municipal spending. She's also a co-chairman of the GOP "freshmen task force" to eliminate the Department of Housing and Urban Development. Since the mid-1960s, she says, HUD and other federal agencies have spent $5 trillion on the War on Poverty, and poverty won.

Barbara Cubin of Wyoming and Helen Chenoweth of Idaho intend to protect women and men alike by calling for an overhaul of federal regulation. They've been active in the effort to defend property owners from intrusive federal regulators, and to give states more flexibility in controlling natural-resources development on public lands within their borders. Both Chenoweth and Cubin are on the GOP task force to reform the Endangered Species Act to protect animals and plants without jeopardizing jobs or property rights. Sue Kelly, of New York's Westchester County, is the only pro-choice woman in the crowd, and styles herself an economic conservative. She'll be pushing tax and regulatory relief for small businesses.

These women participate in the first Republican-led Congress in 40 years, which offers them unprecedented opportunities for influence. *Policy Review* looks at three of the new lawmakers, who should be on anyone's list of members to watch in 1995 and beyond:

The new Republican women in the House do not claim sisterhood with the so-called "women's agenda."

Andrea Seastrand (CA-22)

For many, the death of a spouse means a time for quitting—a time when long-held hopes are wrapped up and put into storage. Not for Andrea Seastrand.

When her husband Eric, a California assemblyman, died in their 26th year of marriage, Seastrand ran for his seat and won. They were a team, "movement conservatives" devoted to making government work, by fighting bureaucracy and red tape. But it was always Eric who worked in the limelight of elected office. She was supportive, in the background, stuffing envelopes and going door to door. "I was the one writing the letters and getting others to write," she says. "I never saw myself as the one to receive the letters."

She would be receiving a lot of them. Elected in 1990, Andrea served four years in the General Assembly. Then, last year, she saw an opportunity to run for the Santa Barbara-area congressional seat vacated by Michael Huffington in his bid for the U.S. Senate. She ran on the Contract with America and immigration reform, calling for speeding up the deportation of illegal aliens convicted of and imprisoned for serious crimes. She supported Proposition 187—the state ballot initiative to end state services to illegal immigrants—because she thinks legal aliens are most likely to play by the rules and build lives for themselves and their families. "I'm a believer in immigration—legal immigration," she says. "I want to help people who are here legally to work through the red tape to become citizens more quickly."

Seastrand's political education began at the all-girls Catholic high school she attended in Chicago. During a

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visit to the school, a bishop who had been exiled from Lithuania explained what communism meant in his country, and described the deadening effect of a totalitarian government on its citizens. The experience made the 15-year-old staunchly anti-Communist. The nuns at school gave Seastrand what might be called a practical civics lesson: "No matter where you come from, no matter what your background, if you use your God-given abilities and talents, and work hard, the sky is the limit to what you can achieve." This simple principle has affected her views on everything from welfare reform to school choice.

The former elementary-school teacher learned another lesson from her nuns: The importance of living by example, of mentoring young people in basic conservative values of family and citizenship. Fulfilling a promise with her husband, Andrea has continued "adopting" students, taking them under her wing for national conventions and boosting their involvement in civic life. Her students typically serve as interns in her office, community volunteers, and political and neighborhood activists. One of the students she took to the Republican National Convention in 1984 is now her congressional district-office director. An immigrant from Mexico who once served as an intern is now a Wall Street banker. Another former intern is a lobbyist in California for a transportation trade association.

Shortly after the death of her husband, Andrea established the Eric Seastrand Memorial Youth Fund, using her skills at grassroots political organizing for non-political community-outreach projects. Her fund has benefitted dozens of students by providing scholarships, supporting 4-H programs, buying a wheelchair to enable a child to participate in the Special Olympics, and supplying train tickets for grade-school field trips.

Like most freshman Republicans, Seastrand's immediate objective is to pass all provisions in the Contract With America. But her top legislative priority is to free the commercial space-launch industry from the bureaucratic maze of regulation by overlapping agencies. She's sponsoring a bill that would create a single agency for oversight and regulation, and permit tax-exempt bonds to fund the conversion of obsolete military bases into spaceports.

Her plan would require no direct federal expenditures. Seastrand says her bill would help the U.S. compete in the global market for commercial launches, and create high-tech jobs in a depressed area severely hurt by base closures and declining military expenditures. As a state legislator, Seastrand successfully pushed through commercial spaceport legislation, creating the California Spaceport Authority and the first commercial spaceport in the nation at Vandenberg Air Force Base. In Congress, she has secured positions on the two committees that would handle this issue: Science and Transportation.

LINDA SMITH (WA-3)

The House Republican leadership calls her "the woman who wouldn't blink." When the House wrangled over the Balanced Budget Amendment, Linda Smith insisted that it include a provision to prevent Congress from raising taxes without a three-fifths majority vote. It

Chas Geer

Year of the Conservative Woman: While nine women incumbents—all liberal Democrats—lost their House seats in November elections, seven conservative Republicans, six of whom are pictured here, were elected to the House.

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was a daring move for a freshman, for it amounted to a rebellion against the leadership of Newt Gingrich and Dick Armey. Though the tax-limitation provision was part of the Contract, its most vocal supporters soon backed off when it became clear that it lacked broad congressional support. But not Smith and a handful of her colleagues. They convinced the GOP leadership to promise to vote next year on whether tax hikes should require a three-fifths majority.

This came from a woman who didn't even run for Congress. Ten days before the primary in her congressional district in southwest Washington, the leading GOP candidate suddenly withdrew. Smith, a state legislator, was persuaded to run as a write-in candidate because she had organized a strong grass-roots base of more than 10,000 volunteers. Smith's volunteers hit the streets and got out the vote. She won the primary as the first successful write-in candidate in state history, and then won the general election with 51 percent of the vote.

During her tenure in the state legislature, Smith launched two successful state ballot initiatives. The first, concerning campaign-finance reform, ushered in a new code of conduct for incumbent legislators, and outlawed public financing of elections.

The other, the Taxpayer Protection Act, imposed a limit on state government spending, and called for voter approval of tax increases.

That sort of lawmaking gets noticed in the new Congress: Two weeks after Smith came to Washington, Representative Jan Meyers tapped her to be chairman of the Small Business Subcommittee on Taxation and Finance. The best way to promote small business, she argues, is to get government out of the way. One of her top priorities is to reduce capital-gains taxes to lighten the load on small businesses and spur economic growth.

Years spent navigating the federal tax system motivates this agenda: Smith worked as a tax planner in Washington state for 16 years, without giving politics much thought. In 1983, after a series of tax hikes, Smith watched her state legislature double the tax rate on small businesses. That's when she decided to leave the tax-consulting business to get into the tax-limitation business. Not only did Smith, with no political experience, run for a seat in the state Assembly, but she ran against a veteran in a Democratic stronghold—the man who'd cast the deciding vote to raise taxes. Her own party assured her that a conservative woman had no chance of getting elected in her district. Nevertheless, she won in a landslide. After four successful years in the state Assembly, Smith ran for the state Senate against an incumbent considered unbeatable. Again, she shocked her political opponents. Her come-from-behind victory helped give state Republicans their first legislative majority in 33 years.

There is no way to explain Smith's political successes outside of her populist appeal. She describes her mission in Washington in the simplest of terms: "Clean up Congress, get rid of the debt, and secure our future." If Smith sponsors even half as much legislation as she shepherded in her home state, she'll be known as one of the most reform-minded House members in recent history.

SMITH IS NOT KNOWN AS A COMPROMISER. SHE FOUGHT THE LEADERSHIP TO KEEP A TAX-LIMITATION PROVISION IN THE BALANCED BUDGET AMENDMENT.

In addition to tax reform, she wants to enact a campaign-finance reform plan that prohibits the transfer of political funds from one person's campaign to another. She believes that candidates alone should be responsible for their fundraising activities. This widespread practice, if outlawed, would cut against the grain of all members, regardless of party affiliation. It would mean that in a tight race, where an infusion of last-minute cash might influence the outcome, a candidate's campaign could no longer receive thousands of dollars in surplus funds from another politician's war chest.

Smith would restrict out-of-state campaign contributions to less than half of a candidate's financing. She would subject political-action committees to the same restraints currently placed on individual contributors—$1,000 per election cycle, rather than the current $5,000. She wants to prohibit incumbents from using the congressional frank for mass mailings of constituent newsletters within three months prior to an election. Believing that politicians have the million-dollar advantage over their challengers—by way of a taxpayer-funded congressional budget—Smith contends that bulk mailings unfairly boost an officeholder's name identification.

Smith is not known as a compromiser. Critics say that her stubbornness in pushing through her agenda borders on arrogance. Smith, on the other hand, likes to remind them that she did not run for office; she was drafted. She says her populist reform agenda is part of a larger movement in the newly elected House membership. "Don't break the spirit of this freshman class," she warns the GOP leadership. "This spirit is what the country needs."

ENID GREENE WALDHOLTZ (UT-2)

Ever since Utah's Enid Greene Waldholtz was elected to Congress, she has been passionately concerned about her job's fringe benefits—she wants to amend, slash, and eliminate them. Waldholtz wants all members of Congress to reduce their retirement benefits, eliminate automatic pay raises, and roll back their salaries to $89,500—a 31 percent cut—all in the name of good government.

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And that's just for starters. She wants Congress to cut its own budget by 25 percent, return to its former status as a part-time legislature, and restrict the ability of lobbyists to wine and dine members and their staffs. "Everything about the federal government needs to change," Waldholtz says.

Her top priority is reform of congressional pensions. Members of Congress now receive retirement benefits that are roughly double that of individuals in the private sector. Waldholtz has co-sponsored a bill to eliminate the existing plan and replace it with a 401(k) employee-contribution plan.

Talk about putting your money where your mouth is: Waldholtz has declined to accept her own congressional pension, and she has refused government-paid health coverage. She and her husband will purchase their own coverage until Congress acts on meaningful health-care reform, including portability of insurance benefits, for all Americans. She is also trying to figure out how to reduce her annual salary or funnel the difference between her current pay and her proposed salary toward charity or reducing the debt. She specifically intends to prevent the money from returning to the House Speaker's slush fund, the current repository of all unspent funds from congressional budgets.

Although critics contend that she is feigning sacrifice, because of her personal wealth, she argues that to effect real political change on Capitol Hill, "the government must lead by example." She says it is essential that members "show that we are cutting our own budget, that we are living under the same conditions and rules that people in the rest of the country are."

Reform of congressional pay and benefits is vital, says Waldholtz, when Congress is asking sacrifices of its constituents in order to control federal spending and eliminate the deficit. Waldholtz says voters in her 2nd district of Utah understand the need for shared sacrifice; they know the budget cannot be balanced painlessly. "People in my district will support reduction in government even if it means fewer benefits to some of them," she says, "as long as they know Congress did it in a fair way, that they were not unduly penalized, or asked to take more than their fair share of the burden."

Waldholtz, a longtime conservative on social issues, was a Bush supporter in the 1980 presidential race who has since become more conservative on fiscal issues as well. She is a good listener, has the negotiating skills of a diplomat, and is well respected by both conservatives and centrists within the GOP. This is perhaps one reason why Newt Gingrich gave her a highly coveted slot on the Rules Committee, the gatekeeping body that determines which legislation makes it to the floor for debate. The first freshman appointed in over 80 years, she represents a part of a coalition charged with helping to shape legislation to appeals to a majority of the Congress.

When it comes to welfare reform, for example, such a coalition will need both her experience and her bargaining skills. While serving as the deputy chief of staff to Norman Bangerter, a Utah governor, she served as his liaison for social services and spent a great deal of time in welfare offices talking to case workers and welfare recipients. Her conclusion: "The current welfare system verges on immoral," she says. "It penalizes people for getting married, for holding a job, and for acting responsibly. It also encourages recipients to have more children out of wedlock. The system is completely backwards, and it traps people in poverty."

Photo courtesy of Enid Greene Waldholtz

Representative Enid Greene Waldholtz has foresworn government health coverage until Congress reforms benefits.

All of these women gained national office through more than hard work, or savvy campaigning, or the incompetence of their opponents. They were propelled by a common disgust for the status quo in Washington—a disdain shared by an overwhelming majority of the voting electorate last November. As Waldholtz puts it, "The federal government has created a hostile atmosphere for states, for communities, and for families to take care of themselves."

Undoing this state of affairs is not thought of as an issue on a women's-rights agenda. But it has become the central issue for these women, because they see themselves not only as women, but as *citizens*. That may make them our best hope for bringing more citizenship, and less tribalism, into our politics. ☎

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The Readiness Trap

The U.S. Military Is Failing to Prepare for the Next Big War

Cliff Sobel and Loren Thompson

During the 1992 presidential race, the Fleetwood Mac song "Don't Stop Thinking About Tomorrow" became the official anthem of the Clinton campaign. Once in office, the new administration lost little time infusing every facet of its domestic agenda with concern about the future. But its defense agenda has been curiously immune to long-term thinking. Rather than planning for tomorrow, the administration's defense policies reflect a disturbing preoccupation with the concerns of the moment.

This is a dangerous flaw. The record of the 20th century suggests that the present period of diminished global tensions will not last, and that major new threats to national survival may emerge in the near future. However, the Clinton administration seems to assume that the end of the Cold War meant the end of history, at least as far as great-power threats to national security were concerned. The result is a U.S. defense budget that exhibits high levels of consumption and very low levels of investment.

Both in their rhetoric and in their resource allocations, senior Pentagon executives and many congressional Republicans have been preoccupied with "readiness"—the ability to fight effectively on short notice. Readiness is a notoriously nebulous concept, but in economic terms it translates into consumption: Money is spent to preserve and enhance current capabilities rather than prepare for the future.

Like other forms of consumption, readiness tends to be bought at the expense of procurement of new weapons. In inflation-adjusted terms, Pentagon procurement accounts now stand at the lowest levels since 1950, the year the Korean War began. The $39 billion requested by the Clinton Administration for weapons procurement in fiscal 1996 constitutes only 16 percent of a defense budget that itself has shrunk to a mere 15.5 percent of overall federal expenditures. In other words, the Pentagon's planned spending on all types of equipment for military services in fiscal 1996 adds up to only 2.5 percent of the federal budget—an amount of money equal to about four months' of sales by the Ford Motor Co.

The Clinton administration contends that this low level of investment is justified by a diminished threat and the huge inventory of weapons accumulated during the Cold War. It also claims that a planned increase in procurement will lead to "recapitalization" of the armed forces toward the end of the 1996-2001 Future Years Defense Plan. However, the Pentagon's current predictions for 2001 may not be any more reliable than those of science-fiction writer Arthur C. Clarke. It is possible that spending on procurement will remain depressed. If that occurs—while high levels of readiness are sustained—the armed forces will suffer continued depletion of their weapons inventories.

THE CLINTON ADMINISTRATION SEEMS TO ASSUME THAT THE END OF THE COLD WAR MEANT THE END OF HISTORY.

Lessons of the Past

Unfortunately, the depletion of capital stocks could coincide with the reemergence of threats abroad and a revolution in military technology, creating a situation not unlike that of the 1930s.

The current debate over national-security needs presents a rather distressing spectacle in historical amnesia. The struggle with communism for the past two generations has so strongly influenced policymakers that they exhibit little apparent capacity for interpreting that experience in a broader context.

The Cold War was the third occasion in this century when the U.S. mobilized to prevent anti-democratic forces from dominating Eurasia. The century began with the challenge posed by German imperialism, and barely a generation later the U.S. was at war again, this time to defeat fascism. The outcome of WWII then set the stage for the anti-communist crusade of the post-war period.

Note that the same pattern repeated itself with each

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Loren Thompson *directs the Institution's Defense Program.*

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new danger. Regional powers gradually accumulated land and resources while the United States was distracted; early warnings that a great-power threat was emerging were greeted with widespread skepticism; when the threat became urgent, U.S. leaders discovered they were woefully unprepared and commenced a hasty mobilization; once the threat passed, the nation engaged in an equally hasty demobilization. After a period of relative tranquillity, the cycle has repeated itself.

It is remarkable that the political elite of a world power could experience three complete threat cycles in one century and still not grasp the basic lesson that a fourth such challenge is likely sometime relatively soon. As Colin Gray, a military theorist, has noted, "American policymaking in the national security area tends to be dominated by people with a poor sense of the value of history." Whatever the explanation, current U.S. defense policies reflect a startling lack of strategic vision.

For example, the 1993 Bottom-Up Review was conceived by the Clinton administration as a comprehensive assessment of military resources and requirements for the post-Cold War period. It prudently concluded that U.S. forces should be able to successfully prosecute "two major regional conflicts that occur nearly simultaneously." And yet nowhere in the document is the historical significance of regional conflicts clearly spelled out—that great-power threats to U.S. security typically originate in regional aggression not countered in a timely manner.

From this perspective, the real danger posed by Saddam Hussein in 1990-91 was not his violent annexation of Kuwait, for the invasion of Kuwait was no more significant than Japan's occupation of Manchuria in 1931 or Germany's remilitarization of the Rhineland in 1936. The danger lies in the bolder designs an aggressor might pursue if he encounters no resistance.

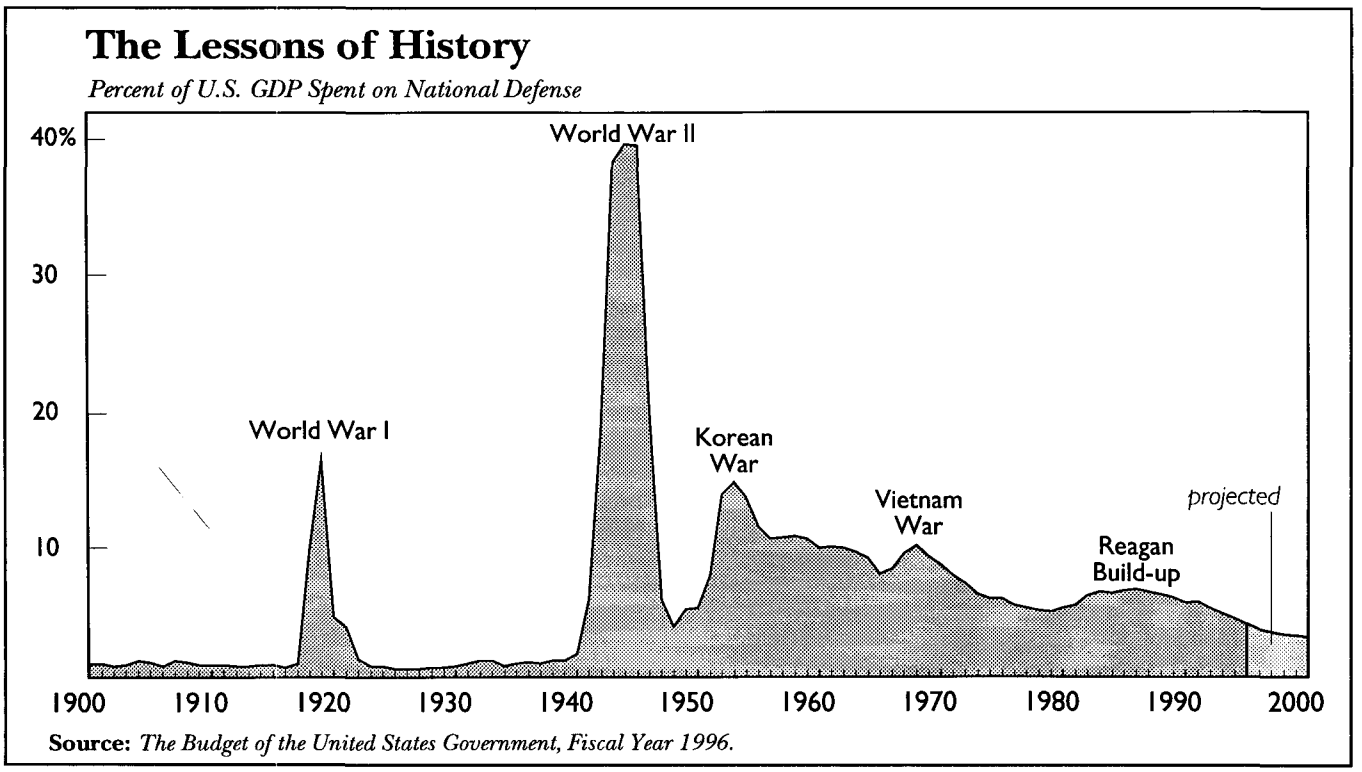
History thus provides a compelling reason for being ready to fight. But it also teaches that the emergence of aggressive great powers is characteristic of the geopolitical landscape, and that unless the United States continually invests in new defense capabilities, it may eventually be unable to avoid defeat at the hands of such a power.

Viewed against this backdrop, the fundamental defect of the Clinton administration's defense plan is all too evident: It purchases current readiness at the price of future preparedness. When procurement spending is inadequate, high levels of readiness inevitably use up weapons for which there are no replacements. Meanwhile, a drop in military contracts prompts the production base of the defense industry to atrophy. The U.S. thus gradually loses the military and industrial capacity to respond effectively to aggression.

The Clinton administration recognizes this problem and therefore has begun to plan for the "recapitalization" of the armed forces—an unfortunate appropriation of a term usually associated with the restructuring of bankrupt organizations. But the concept of bankruptcy may not be entirely misplaced, because administration plans make future procurement increases contingent on raising the overall defense budget and realizing substantial savings from base closures and acquisition reform. None of these sources can be counted on to generate enough money for a sustained surge in investment.

THE "PROCUREMENT HOLIDAY"

The Congressional Budget Office refers to the current slump in weapons purchases as a "procurement holiday." But like Franklin Roosevelt's "bank holiday" during the darkest days of the Great Depression, this is merely a



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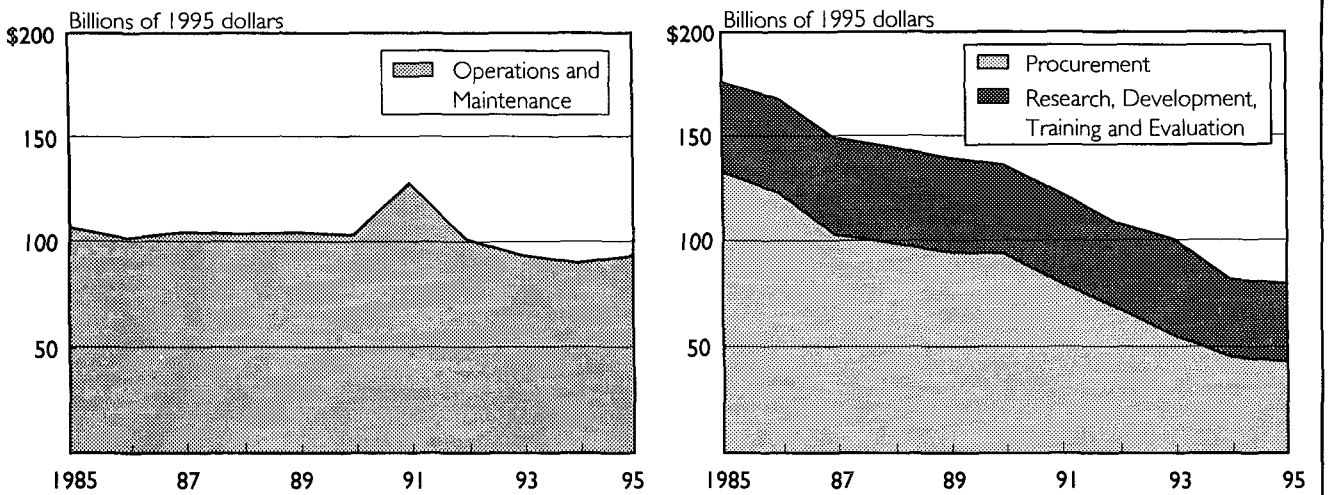
Consumption vs. Investment

While the U.S. struggles to maintain readiness . . . *. . . investment in arms and equipment has fallen dramatically.*



Source: Alexis de Tocqueville Institution. 1991 figures include costs of Operation Desert Storm.

Charts by Thomas J. Timmons

pleasant way of describing a system on the verge of collapse. The real buying power of the Pentagon's procurement budget declined 67 percent between fiscal 1985—the peak year of President Reagan's defense buildup—and fiscal 1995. The administration proposes a procurement budget of only $39 billion in 1996, which would bring the total reduction from the peak in fiscal 1985 to 71 percent. Backlogs in defense contracts are expected to contract eventually by a similar amount, forcing many defense contractors to exit the business and reducing competition among those who remain.

No other part of the defense budget has experienced a comparable decline. The major categories of weapons-related expenditures correspond roughly with the key stages in the product life cycle: research and development, procurement, and operations and maintenance. The operations and maintenance budget includes most of the spending related to readiness, whereas R&D, together with procurement, constitutes most investment spending. All three accounts declined between fiscal 1990 (the year the Berlin Wall fell) and fiscal 1995. But procurement shrank from 28 percent of a relatively large budget to 17 percent of a much smaller budget. In constant 1995 dollars, procurement spending fell in just five years from $94 billion to $43 billion—a 54 percent cut.

The impact of declining procurement expenditures on the production of major weapon systems has been dramatic:

- In fiscal 1996, the Air Force does not plan to purchase a single fighter or bomber. In fact, it plans to purchase no new bombers throughout the 1996-2001 Future Years Defense Plan, even though nearly half of its long-range bombers are more than 30 years old, and the sole fighter program it has in development (the F-22) has been repeatedly cut back and delayed.
- The Navy plans to purchase seven ships in fiscal 1996, only a third as many as it purchased in 1990. Over the course of the Future Years Defense Plan, it will buy just one submarine every other year from its last remaining sub manufacturer, and many observers believe the recently authorized CVN-76 will be the last large-deck carrier the service procures.
- The Army has stopped purchasing main battle tanks, and has no plans to resume purchases any time in the next 15 years. It has been unable to find sufficient funding to support upgrades to its existing tanks at an economic rate.

The Clinton administration argues that reduced levels of procurement are an appropriate response to the end of the Cold War, and that the high procurement expenditures of the Reagan-Bush years have made it possible to adequately equip shrinking military forces without buying new weapons. Senior administration officials point out that R&D spending for new weapons technologies has declined only moderately, and that when recapitalization commences early in the next century, it will not be necessary to replace weapons on a one-for-one basis. They also claim that by the time it is necessary to increase procurement, acquisition reforms will make it possible to acquire some military systems more quickly and less expensively from commercial sources. Finally, they note that a 47 percent real increase in procurement is planned between fiscal 1996 and 2001.

If all of these assertions proved true, there would be little reason for concern. The U.S. would presumably be well-positioned for the challenges that might arise in the next century. However, the administration's positions obscure as much as they reveal, and are based on assumptions that may prove to be unreliable. For example, the same acquisition reforms that supposedly will enable the armed forces to buy advanced technologies more quickly and cheaply from commercial sources will also facilitate the transfer of those technologies to potential adversaries. As the acquisition system places increased emphasis on "dual-use" technologies with both military and commercial applications, it is inevitable that foreign

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World War I marked the emergence of the United States as a global military power . . .

nations will gain greater access to advanced military capabilities. Acquisition reform could thus hasten the emergence of new threats.

The contention that a smaller force structure can be adequately equipped from existing weapons inventories has some validity. For instance, the average age of ships in the Navy's active fleet is declining despite the low level of new procurement, because older ships are being retired in large numbers. However, the administration's own data demonstrate that many key military systems are approaching the mid-point of their projected lives, and will eventually require replacements. Furthermore, continuously depressed levels of new procurement will gradually erode the defense industry's capacity to produce those replacements. In the case of the submarine business, the Navy will soon be dependent on a single shipyard that is producing only one boat every two years. If even one submarine is removed from the production schedule, the supplier base will probably collapse.

The most misleading argument the administration advances is that it is cutting procurement while maintaining R&D specifically in order to prepare for future threats. That ignores what is being developed and what is actually being procured. In December, the administration announced that the Army's highest-priority acquisition program, the Comanche helicopter, would be kept in development and not moved forward to production. The Comanche is the only truly stealthy aircraft likely to enter the Army inventory in the next 20 years, so deferring its production means soldiers will have to face future threats in increasingly vulnerable conventional helicopters. Thus the benefits of a decade of development are being lost because of a decision not to procure.

Similarly, the administration is resisting congressional efforts to procure additional B-2 "stealth" bombers even though there is extensive evidence that the planned force of 20 B-2s and 200 older bombers cannot meet projected operational requirements. Opposing further purchases of the B-2 might make sense if a cheaper and equally survivable alternative were under development, but it isn't. Instead, the Air Force plans to rely on vulnerable B-1s and B-52s to carry out the bulk of future long-range bombing missions. Here again, the benefits of a $20-billion development effort are being squandered, with no long-term plan for recovery in sight.

Bad Trade

It is obvious that such decisions are not being driven by doctrinal or operational considerations. They are dictated by budgetary pressures. The Clinton administration apparently has concluded that unless there is a significant increase in defense spending, readiness can only be maintained by drastically limiting investment. This is a tradeoff that cannot be continued indefinitely because low levels of procurement eventually translate into low levels of preparedness. It is a tradeoff that is not only unacceptable, but unnecessary. To avoid this trap, the Pentagon must get serious about privatizing military support functions.

In recent years, many private companies have restructured their operations to focus on core competencies. By shedding activities that either are not central to the organization's mission or can be performed less expensively by others, companies are able to emphasize what they do

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. . . but America's armed forces still had to play catch-up a generation later to confront fascism in Europe.

well and thereby improve their efficiency. The Department of Defense is overdue for such a restructuring. Although the department has undergone considerable downsizing and there is much talk of "reinventing" what remains, there is little evidence of greater efficiency. The result is that even in the midst of a budget crisis, the Pentagon continues to waste huge amounts of money.

The defense department lacks market discipline, and exhibits many of the managerial defects of a top-down monopoly. That is hardly surprising, because the department was established to exercise a monopoly in the application of military power, and like the rest of the federal government it is not a product of economic forces. But it still can benefit from those forces.

After WWII, the department accumulated a vast array of support functions—such as supply management, equipment maintenance, dependent health care, data processing, accounting, and commissaries—that, while necessary to the effective exercise of military power, do not need to be performed by the government. One way of freeing up money for additional procurement is to gradually privatize those support functions that can be provided by private-sector sources.

The Office of Management and Budget has estimated that the federal government saves nearly $10,000 every time the functions of a worker are contracted out. On average, the government "outsourcing" saves 20 to 30 percent per contract. However, contracting out and privatization have been constrained by convention and by concern that critical services might not be available from private-sector providers in wartime. There is little empirical basis for this concern, and the cost of continuing to make policy as if it were valid is staggering. For example, studies of the $15-billion depot-maintenance system for conducting weapons repairs have found 25 to 50 percent of the system is unneeded capacity. Some outsourcing of depot maintenance already occurs, but complete privatization could probably save billions of dollars every year.

There are numerous other examples of defense support activities that could be privatized. About 48,000 civilian and military personnel are engaged in supply and distribution activities. Overhead costs for goods delivered by these personnel average 70 to 90 percent of the value of the goods themselves, a high figure by private-sector standards. The transportation, storage, and administrative costs associated with buying and distributing spare parts alone is roughly $5 billion per year, not counting the cost of the parts. Many private-sector companies have developed advanced inventory management and distribution systems that could substantially cut these costs.

Financial-information systems is another area that could benefit from privatization. The Pentagon reported in 1994 that of 28 major audits of its operations in the previous year, 26 were unfavorable. During the same year, the department was unable to match $19 billion in disbursements to specific contractual requirements, meaning the money may have been paid erroneously. The level of unmatched disbursements is all the more striking in view of the fact that it requires more than 100 separate transactions for the department to issue a single check. Despite all of these steps, many of which presumably exist to prevent mistakes, the chief of staff of the Air Force recently said that "it would be nice if we knew what actual costs were, but our accounting systems often do not

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After 40 years of Cold War, America may be hankering for a respite. But is another threat around the corner?

perform this simple and reasonable service."

The Clinton administration is striving mightily to "reinvent" the Pentagon's financial management systems, but "deinvention" might make more sense. The private sector is full of data-management and accounting firms that long ago solved the challenge of tracking money within large organizations. Many large firms have turned over their day-to-day financial-support requirements to these firms. The Pentagon should seriously consider doing the same thing, just as it should consider turning over the post-exchange and commissary functions to Wal-Mart.

An example of how greater reliance on the marketplace could reduce defense support costs is provided by the General Services Administration's 1991 decision to transfer time-urgent delivery functions to FedEx Corp. The General Accounting Office estimates that relying on private-sector sources for overnight delivery reduced the government's costs by 76 percent. FedEx's performance was such an improvement that the Air Force is increasingly relying on private-sector providers for its own deliveries of critical spare parts.

Nobody really knows how much money the Department of Defense might save through the wholesale privatization of support functions. But the annual savings could eventually be sufficient to sustain higher levels of procurement without cutting readiness or force structure. In fact, privatization would have multiple benefits for the procurement budget: Not only would it free up funds for weapons purchases, but transferring weapons-support functions to the companies that make the systems could also help preserve critical industrial capabilities and reduce the overhead costs they charge on procurement contracts.

IN THE CASE OF DEFENSE MANAGEMENT, PAST EXPERIENCE DICTATES THAT THE MARKET IS THE MOST EFFICIENT PROVIDER OF GOODS.

If there is a final lesson in all this, it is that there is no substitute for vision, whether strategic or managerial. We may not be able to know the future, but we certainly can have a reasonably clear idea of what the past tells us about the range of possibilities. In the case of defense spending, past experience warns against a prolonged drought in investment, particularly when high levels of readiness are gradually consuming existing capital equipment. In the case of defense management, past experience dictates that the marketplace is the most efficient provider of goods, and that continuing to perform support functions within the government reduces the military's capacity to accomplish its mission. These are easy lessons to grasp; the question is whether we will have the courage to act on them. Investing more in modern weapons while privatizing support functions would prove that, for once, we have learned from our past mistakes.

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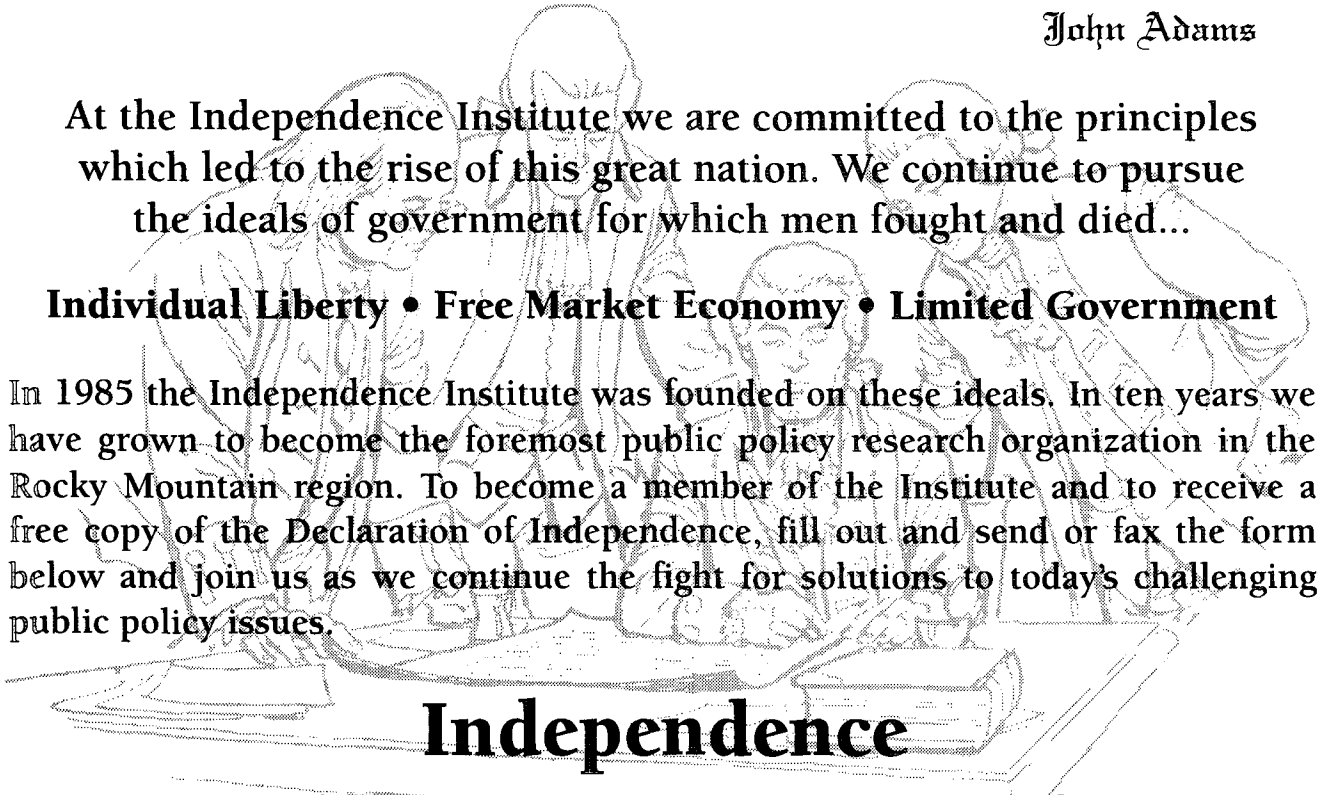
Independence

A Revolutionary Thought

"The revolution was in the minds and hearts of the people... This radical change in the principles, opinions, sentiments and affections of the people was the real American Revolution."

John Adams



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LETTERS

J. Daryl Charles, Jacob Neusner, Lee Congdon, Stephen M. Bainbridge, Ernest W. Lefever, Paul H. Davis, Richard D. Land, Norm Bomer, Philip Gleason, Adam J. Rubinson, Steve Trout, Tim W. Ferguson, Irwin Weil, John A. Bernbaum, Charles T. Baroch, Valerie H. Protopapas, Edward E. Ericson Jr., Kathryn Marie Dudley

MINDS OVER MATTERS

Dear Sir:

Arguments in favor of a prayer amendment are usually based on symbolism rather than raw moral reasoning. In truth, moral reasoning can be authentically employed in perpetuating either view.

If this acknowledgement is denied, then the issue becomes a "distraction," as Joe Loconte ("Lead Us Not into Temptation," Winter 1995) suggests, with evangelical devotion to the cause somewhat "misplaced."

Inasmuch as school prayer is "symbolic," it mirrors the perception that the moral underpinnings of American society are eroding, if not eroded. The more important question hence might be: What is the fundamental role of the Christian community in contributing to the moral fabric of a wider American culture?

This wider issue requires a wider strategy than mere constitutional revision at the present political time. The common arguments in favor of a prayer amendment are, by themselves, unsatisfactory.

First, prayer is a recognition that the state is not God. While certainly symbolic of a higher truth, it cannot in and of itself guarantee the reverse.

Second, that sundry societal pathologies are to be found in the schools themselves ("Prayer surely won't hurt!") may be true, but is not an argument either. It should be remembered that civil disorder stems not from exclusion of school prayer, but from voluntary exclusion of religion from the lives of America's people. Thus, a prayer amendment is at best a poor antiseptic.

And even when prayer is important to a majority—perhaps as high as 75 percent—of Americans, the truth of the matter is that if this devotion to prayer were taken more seriously and applied in other available contexts, school prayer might be less the political issue that it is.

Some evangelically minded Christians view a prayer amendment as a "jump start" approach to cultural rejuvenation. These individuals would contend that cultural renewal is long and tedious; what has been fairly rapidly eroded takes much longer to restore.

Advocates of a prayer amendment, on the other hand, tend to overlook the fact that legislation is reflective of wider culture and not vice versa. To invert this moral-legal relationship is to miss the broader issues that are facing Christendom.

In sum, prayer amendment advocates will need the inconvenient reminder that they cannot effectively legislate before they have influenced broader culture. One cannot change laws before changing people's minds and habits.

J. Daryl Charles
Resident Scholar
The Wilberforce Forum
Washington, D.C.

DUMBED-DOWN RELIGION

Dear Sir:

A further argument in favor of Joe Loconte's position on prayer in public schools clarifies the difference between religiosity and religion. Religiosity in general transcends the specifics of the Catholic or Lutheran or Baptist or Judaic or Muslim religions. And it is this generalized religiosity that such prayer in public schools embodies—dismissing as trivial the truths of the several great religious traditions that thrive in this country.

Church, synagogue, mosque—everything is interchangeable in such a scheme. Perhaps some religions can accept the dumbing down of religious difference. But the rest of us who seriously practice our respective, contending, and contentious religions must object.

Public prayer removed from the specific setting of faith, practiced piety, and the corporate, sacred community that offers prayer bears little meaning for Judaism, Christianity, and Islam.

When there is a "we," it is always the mystical body of Christ assembled in the name of Jesus Christ; or it is the holy Israel, speaking to

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the One "who has sanctified us by his commandments and commanded us"; or it is the Nation of Islam.

True, we worship one and the same God. But to each of us that God is made manifest in specific ways. So far as our deeply held faiths insist, those paths to God, laid out by God through Jesus Christ or through the Torah or through the Prophet form the royal road.

Public prayer that ignores or trivializes and marginalizes the specificity of that holy faith forms an affront to the God who has become known to us in the details of our revealed faiths. Prayer from no one in particular to whom it may concern bears no relationship to the divine service that our several religions conduct.

Jacob Neusner
Professor of Religious Studies
University of South Florida
Tampa, Fla.

Exaggerated Reliability

Dear Sir:

In light of the neo-paganism to which so many Americans have pledged their allegiance, it may well be that, as Joe Loconte argues, Christians should be wary of school prayer. Nevertheless, the author exaggerates the reliability of private conscience and underestimates the importance of public, communal expressions of faith.

It is quite true, of course, that faith coerced is no faith at all, but that does not mean that all of public life may safely be cleansed of that faith which informs Western Civilization.

Public forms of expression work on private consciences. It is not true, as Loconte suggests, that "rote prayers" and liturgies are mostly empty and meaningless; indeed, evangelicals have their own "liturgies"—repetitive phrases in spontaneous prayers, for example. Such repetitions, they rightly sense, inscribe certain truths in the heart and thus encourage genuine belief and Christian conduct.

Furthermore, Loconte is far too quick to reject the majoritarian argument.

Majority in this case does not refer to shifting numerical majorities in various states of the Union, but to the permanent majority at the very heart of Western culture, which T.S. Eliot rightly observed, cannot remain itself if divorced from Christianity.

Finally, Loconte is too ready to accept the notion, retailed by non- and anti-Christians, that Christianity can legitimize itself only by promoting social progress. He reminds us that Christians objected to past mistreatment of black Americans and ministered to the urban poor. Such service is to be commended, but it ought to be viewed primarily as a sign of that obedience that has, as its principal purpose, His praise and glory.

Lee Congdon
Professor of History
James Madison University
Harrisonburg, Va.

Protestant Consensus

Dear Sir:

Amending the Constitution to permit school prayer admittedly is a thornier problem for religious conservatives than most of us admit. On balance, I am slowly coming around to Loconte's side of the issue. I write, however, to take issue with two of his points.

First, I agree with Loconte's apparent view that state neutrality towards religion is, at least in theory, the best course for a representative democracy. In practice, however, neutrality has serious flaws.

Since the Supreme Court got into the school-prayer business back in the 1960s, separation of church and state has evolved from neutrality among religions to neutrality between religion and secularism. Worse yet, as Loconte recounts, hostility to religion has usually been the means by which the latter form of neutrality has been pursued.

Loconte apparently believe that one can eradicate hostility towards religion while simultaneously retaining the goal of neutrality. I am less sanguine on this score, especially if neutrality between religion and secularism remains the goal.

Ultimately, trying to remain neutral between the claims of religious belief and secularism is like trying to serve two masters at the same time. But as Christ taught, humans cannot do this: We will love one and despise the other.

Second, I find it not a little astonishing that a reputable conservative should premise so much of his argument on diversity and multiculturalism. As we all know, our society faces a growing number of challenges: crime; a growing underclass; rising levels of single-parent households; rampant legal and illegal immigration by persons from the Third World who do not share the language, religion, or culture of most Americans. It is worth remembering, however, that we have been here before.

As David Frum points out in *Dead Right*, our country faced similar problems during the first two decades of this century. Frum reminds us that our grandparents grew up in cities that, like our own, were violent and unruly. A tide of legal and illegal immigration was bringing to our shores a horde that

SCHOOL PRAYER IS AN APPROPRIATE TOOL IN RESTORING THE NOTION OF A UNIFIED AMERICAN CULTURE.

did not speak our language, did not share our customs, and felt little loyalty to our country. This resulted in an urban proletariat that was not only of unprecedented size, but also poor, violent, and apparently immune to assimilation. The very definition of what it means to be an American was being called into question by a multicultural tidal wave.

Fortunately, the Progressives of that era were able to institute a set of reforms that in fact assimilated virtually all of the new cultures into a single American culture. This American culture was enriched by the new immigrants, but not fundamentally

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changed. It was possible only because reformers knew what it meant to be an American. They knew America was more than just an idea. They knew that America had a common culture and a common heritage. Assimilating new arrivals to that culture could be painful, but it had to be done and it was done. A nation that was stronger and richer in both a material and a spiritual sense emerged.

For better or worse, the Protestant Consensus was a key building block of the uniquely American culture our parents and grandparents passed down to us. To be sure, as Loconte points out, this led some Jews and many Catholics to opt out of certain key institutions, especially educational ones. As many scholars have pointed out, however, modern American Jews and Catholics have largely assimilated to the Protestant Consensus.

Accordingly, I think it is now fair to be more concerned with the possibility that the absence of school prayer will lead evangelicals (and maybe even some Jews and Catholics) to opt out of public education than to be concerned that school prayer will deter Jews and Catholics from opting in.

To be sure, as Loconte points out, our country includes a growing array of religions (and even more New Age cults) that have not accepted the Protestant Consensus. If I am right in believing that the Protestant Consensus has social as well as religious significance, and House Speaker Gingrich is right in believing American civilization is in grave danger, starting the school day off with a generic Protestant prayer could become an important component in restoring the notion of a unified American culture. Accordingly, I reject Loconte's conclusion that school prayer is not an appropriate tool of civic order. To the contrary, I suspect that restoration of civic order may not be possible without some attempt to use the public schools to inculcate the virtues inherent in the Protestant Consensus.

Stephen M. Bainbridge
Professor of Law
University of Illinois
Champaign, Ill.

Jot from Jonah

Dear Sir:

Note carefully that the school prayer amendment does not require prayer; it permits prayer.

That is a whale of a difference.

Paul H. Davis
Princeton, W.Va.

Blurred God

Dear Sir:

Joe Loconte's article is both provocative and persuasive. Advocates of officially permitted prayer simply neglect today's "profound cultural and religious diversity."

When I attended public school in York, Pennsylvania, in the 1930s, Americans were far more homogenous. Along with the Pledge of Allegiance, we recited verses from the Old or New Testament without comment.

This unchallenged practice did not violate the establishment clause any more than etching "In God We Trust" on our coins.

Ironically, formal prayer in the schools can have the unintended effect of trivializing religion. One sassy pupil, exposed to a canned prayer, said he thought of God as an "oblong blur."

Certainly, the schools—public and private—have an obligation to teach about the impact of Christianity, Judaism, and Islam on history and culture. And at the very least they should acknowledge the fact that the American founders believed in the majesty of God and recognized that this nation and every nation stands under divine mercy and judgement.

Parents concerned about secularization and moral decay should direct their energy to restoring the vitality of our Judeo-Christian heritage and encouraging loving two-parent families that honor God and teach their children the difference between right and wrong.

Ernest W. Lefever
Senior Fellow
Ethics and Public Policy Center
Washington, D.C.

First Freedom Foremost

Dear Sir:

Joe Loconte has both misunderstood my views and neglected he fundamental rationale for school prayer in his article. He gives only three arguments, what he calls "primary arguments," for school prayer.

First, he says, there is the historical approach: "American society always has been religious and public prayers seems an appropriate reflection of the nation's emphasis on faith and religious freedom."

Second, a religious rationale: "Schools and other public institutions have a responsibility to acknowledge Deity...."

Third, school prayer "could help slow the social chaos and spiritual decay that are infecting youth culture"—the plea for civil order as he puts it. These may be arguments for school prayer, but they are in fact only supporting arguments and not "primary" arguments. The fourth, and missing rationale, is the guarantee of religious liberty and freedom of religious expression promised in the First Amendment to the U.S. Constitution. This religious liberty rationale is of paramount importance. Loconte includes a highly sentimentalized form of this argument in his first suggested rationale for school prayer, but I argue that religious liberty is more than an

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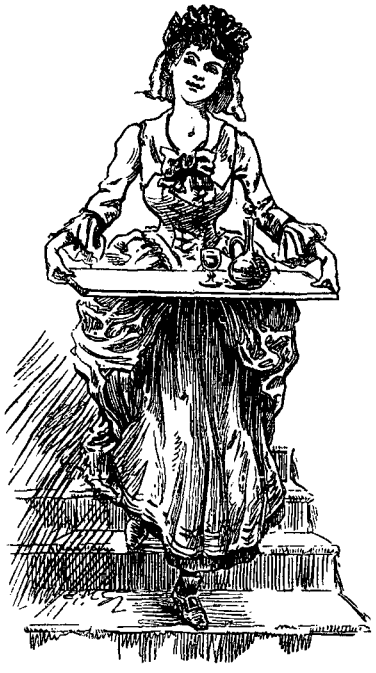

"emphasis" in America, it is part of our *raison d'être.* The American experiment, a *novus ordo saeclorum,* depends upon the freely expressed opinions of its people. Free expression includes religious expression. Religious expression includes prayer.

Loconte is accurate to say that I am among those religious conservatives who agree with the Supreme Court's 1962 "ruling banning state-sponsored school prayer...." However, I do not agree, as he implies that "student-led prayers can have a coercive effect in the unique environment of public education." As long as these prayers are student-initiated, student-sponsored, and student-led, they are no more coercive than student-initiated, student-sponsored, and student-led discussions of religious topics at recess. Surely Loconte does not believe in a religiously sanitized playground.

Furthermore, I have said, "I think our society will not survive unless there is a broad-based religious commitment, but it is not the responsibility of the government to promote it." However, I have also argued that government has the obligation not to prohibit the religious commitments or expressions of its citizens. It hardly seems promotional for public schools to allow students to pray, as they feel led, without disrupting class time. In fact, to prohibit such student prayer, violates First Amendment guarantees against such censorship and suppression of religious speech.

The Christian Life Commission is the religious-liberty agency of the Southern Baptist Convention, the nation's largest non-Catholic religious denomination, with over 15.4 million members in over 38,400 churches. We will oppose state sponsorship of school prayer. We will, however, vigorously support religious liberty. The religious liberty rationale entails that students of religious faith, or non-religious commitments for that matter, should be free to express their religion or non-religion in their classroom. The First Amendment's "free exercise" clause demands no less than *free* exercise.

Does the religious liberty rationale entail that Christian students may hear the prayers of Jewish students, Muslim students, or New Age students? Of course.

In a free democracy, we must protect everyone's right to religious expression. Neither school officials nor student majorities may pick and choose which religious expression to permit or disallow.

Prayer goes up, it doesn't come down. That is, students themselves determine the content and frequency of prayer, not government or school boards, and an open forum means a forum open to all students' religious convictions.

As Thomas Jefferson once said, "The opinions of men are not the object of civil government, not under its jurisdiction."

Richard D. Land
Executive Director
Southern Baptist Christian
Life Commission
Nashville, Tenn.

Mission Immoral

Dear Sir:

"Reel Politik: Great Conservative Cinema," by Michael Smith (Fall 1994), was great, but I thought it missed the mark in a few cases.

The Mission, I agree, is "a beautiful film." But hardly "on every level." It is both philosophically and theologically as liberal as Howard Metzenbaum.

Father Gabriel (Jeremy Irons) has penetrated the barrier of dense jungle and primitive culture hoping to establish a mission to the savage Guarani Indians. Eventually, he converts them and builds a mission in their midst. But to what does he convert them? That is the question by which this movie must be judged. For it is upon that gospel that this movie is built.

Rodrigo Mendoza (Robert De Niro) learns that gospel. He is a mercenary slave trader who has killed his own brother in a jealous rage. For six months he has languished in a stupor of self-hate and hopelessness. He is beyond redemption—or so he believes. But the gospel of Father Gabriel changes his mind. The gospel of the Bible is never mentioned to poor Captain Mendoza. The gospel of *The Mission* is the gospel of "love," small "l." Love your fellow man, sacrifice yourself, do good expecting nothing in return. And if you aren't sure how to do "good," just keep watching.

Rodrigo follows Father Gabriel along the tortuous trail to his jungle mission. In penance he drags along a large net filled with the armaments of his mercenary days—the great burden of past sins. But this is no Pilgrim's Progress. The burden is not lifted. It is finally cut away by his own loving submission to his former victims. When he takes the Jesuit vow, he is converted not to God but to "love."

Meanwhile, the jungle commune has been betrayed by cutthroat capitalists, cutthroat governments, and the politics of Rome. Father Gabriel determines to defend the mission with love (non-violence) alone. Brother Rodrigo chooses instead to fight for right. "If might be right, then there's no place for love in the world," Father Gabriel tells him. "Maybe so. Maybe so," he then muses. But "if you are right, God will bless you."

The massacre that follows, however, bespeaks little blessing on Rodrigo's decision. He is crushed. Might, to be sure, is depicted as anything but right. It is despicable. Therefore, although Father Gabriel is crushed as well, it appears there is

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a place for love in the world. And how is love defined? You must answer the altar call actually printed across the closing scene. Take up the continuing struggle in today's Third World. Come to a sympathetic alliance with liberation theology, i.e. Marxism. It seems no coincidence that radical leftist priest Daniel Berrigan was an influential advisor to the producers of this movie, and appears in a cameo role.

We are left at the end with a smoldering shell of the mission church and the only survivors—one canoe filled with Guarani children. They doff their scant clothing (vestiges of a culture that betrayed them) and return to the depths of the jungle whence they came.

Their simple faith has been destroyed by the evil fires of imperialism. Their faith in God destroyed? No. That isn't faith that can be destroyed by fire. That was not their faith. Their faith was a faith of the mission, and the mission is gone. The gospel of *The Mission* leaves them forever lost in their nakedness.

Thanks for recognizing the importance of philosophical discernment in movie viewing. It's a powerful medium.

May I suggest another go at it sometime? Perhaps you should give attention to *The Brothers Karamazov, The Outsiders, The Secret of Nimh, Sergeant York,* and *The Trip to Bountiful.*

Norm Bomer
Senior Editor
God's World Publications
Asheville, N.C.

Take (The Derivative of) 2

Dear Sir:

Michael Smith should watch *Stand and Deliver* again. The hero and his students fight with the school administration about having to take a standardized test a second time.

The students had achieved unusually high scores on the first test, but their mistakes were more uniform than was statistically likely. Although, both of these points are of considerable mathematical interest, the movie dismisses them as racism.

The real problem with *Stand and Deliver* is that it contains no mathematics at all. With all of the cinematic resources that might have been used to convey an intuitive grasp of calculus to the high school audience, the movie simply perpetuated the taboo against any substantial intellectual content in a movie. There was romantic interest, the struggle against racism, Latino pride, but no calculus.

Philip Gleason
Boca Raton, Fla.

"Life" Support

Dear Sir:

I found mildly amusing Michael Smith's attempts to classify the movies he reviewed as conservative, but I cannot sit idly by and allow him to expropriate Frank Capra's *It's a Wonderful Life,* one of the greatest American liberal films ever made.

Capra was a liberal Democrat and a devout Catholic, and his films portray his strongly felt political and spiritual values quite clearly. One of Capra's greatest populist heroes is George Bailey, the ultimate liberal activist, who repeatedly forgoes the material life (and opportunities to seek his fortune) to ensure that the "little guy" gets a chance to own his own home.

CAPRA'S RELIGIOUS VIEWS AND HIS INTERPRETATION OF JESUS COMPORTED WITH HIS LIBERALISM.

There was not a lot of money in running a small-town savings and loan, but Bailey sticks around to prevent the quintessential wealthy, greedy, heartless Republican,Old Man Potter, from shafting the poor, working men of Bedford Falls.

Potter would certainly have been a Reagan Republican and member of the RNC's Team 100, screaming for low taxes on the rich, and complete deregulation of everything to increase his fortune at the expense of the common man.

At the same time, he would insist publicly that it was for the poor's own good, and that it would all somehow trickle down. Maybe he would have believed his own self-serving rhetoric.

As for Capra's religious message, *It's a Wonderful Life,* like many of Capra's films, is an allegorical retelling of the story of Jesus. Bailey forgoes the material world, continually sacrificing his own chances for comfortable living, to fight for the meek and the downtrodden. He goes through a symbolic crucifixion on behalf of the people (and his own people seem to reject him), and then is symbolically resurrected (Capra always preferred Christmas over Easter for his resurrections; see *Meet John Doe*).

Notwithstanding conservative attempts to classify Christian values as conservative, Capra's religious views and interpretations of Jesus, comported with his liberalism. To Capra, Christianity was about humility, generosity, love, and caring for the working-class poor who shall inherit the earth.

This was quite different than the conservative brand of religion used to justify capital punishment, anti-civil rights battles, archaic notions about a "woman's place," indoctrination by public school prayer, discrimination against gays, hate-mongering against immigrants and minorities, low taxes on the wealthy, and undermining of public education through private school vouchers.

So if a conservative wishes to fallaciously label most of America's great movies conservative, many of us will have a good chuckle. But don't mess with Frank Capra, Mr. Smith, because you're not the type he would have sent to Washington.

Adam J. Rubinson
Washington, D.C.

Out of Focus

Dear Sir:

I was much amused by the irony of the inclusion of Kirk Douglas's *Spartacus* in the article on great conservative cinema.

Your writer is obviously too young

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to recall the controversy that surrounded the making of that film, which was similar in scope to that over *The Last Temptation of Christ* or Oliver Stone's *JFK*.

Both the author of the original "Spartacus" historical novel, Howard Fast, and the screenwriter who adapted it for film, Dalton Trumbo, had been severely red-baited by the ignorant conservatives of their time; Trumbo in fact even lost several years of his life by being imprisoned by the 1950s conservatives' version of The Holy Inquisition, the House Committee on Un-American Activities for refusing to testify under oath about his affiliations with communists. When Kirk Douglas bravely stood by Trumbo by selecting him to adapt the script for *Spartacus* upon his release from prison, right-wing groups called the entire project a communist plot.

Had your magazine been in existence at the time, you would surely have been among the small-minded conservatives crying for the film's suppression.

So choose: was the HUAC truly an out-of-control witch-hunt that destroyed the lives and careers of innocent people, as the liberals assert, or was one of your great conservative films actually penned by a Communist?

Steve Trout
Maryville, Tenn.

Strong on Values

Dear Sir:

Steve Martin is no "conservative," but his movie *Parenthood* and a Lawrence Kasdan film in which he appeared, *Grand Canyon*, were pretty strong on values.

Martin's version of *Cyrano*, was too, for that matter.

Tim W. Ferguson
"Business World" Columnist
Wall Street Journal
New York, N.Y.

Problematic Past

Dear Sir:

I believe that Barbara von der Heydt in "Russia's Spiritual Wilderness" (Fall 1994) has identified some of the real problems in Russia today. As she correctly says, many of them have their origins in the social and political distortions brought about by almost four generations of Soviet rule.

Among such problems were the necessity for public lying and hypocrisy accompanied by deliberate distortions of historical facts (Aleksander Solzhenitsyn called it "the culture of the lie") and a deeply flawed definition of civic responsibility, which claimed to foster a benevolent "collectivism," but actually undermined any possibility of a genuinely collective moral vision.

Other problems include a crude, dehumanizing version of atheism which attempted to head off any deeply considered and sincerely felt religious notions of God. The only divinity was supposed to be a group of leaders whose only motivation turned out to be a greedy and self-serving attachment to wealth and power. Their government led to conditions which could, but will not inevitably, produce a hideous Zhirinovsky-like fascism in the near future.

I think her analysis could use further thinking along the following lines: In spite of Soviet intentions, the previous regime did not succeed in producing a genuinely atheist society, as opposed to the heavily propagandized Potemkin Village of Soviet-sponsored atheism. Such people as Solzhenitsyn, the martyred Aleksander Men, Valery Borshchov, and many others are paradoxical, but natural, products of the Soviet Regime, under which they grew up, heroically battling against cruel suppression.

The Russian people, and other nationalities in the USSR, did not lose God, contrary to the assertions both of communist *apparatchiki* and some Western proselytizers. Russian education, to which von der Heydt only briefly alludes, is presently taking gigantic steps toward a program which has at least a realistic possibility of opening the way toward a better Russian society.

Alcoholism, at least in certain important Russian social sectors, is not going up, but down: You can no longer retain your job if you come to work drunk, and significant numbers of people have found meaningful work which pulls them away from heavy drinking. There are many kind of new enterprises and institutions attracting the energetic enthusiasm of people who have for years and even decades eagerly anticipated this opportunity.

Von der Heydt is absolutely right when she says it is our real moral duty to help them in ways both sacred and secular. Such help must be given adroitly, with real sensitivity to Russian feelings and real knowledge of Russian and Soviet history and culture.

Irwin Weil
Professor of Russian and
Russian Literature
Northwestern University
Evanston, Ill.

Band Aid

Dear Sir:

In contrast to the shallow reporting which characterizes so many of the commentaries about events in Russia written by Western journalists and academics, Barbara von der Heydt's essay is an insightful analysis. After four years of involvement with Russian educators and frequent contact with many of the "moral renewers" described in her article, I can affirm von der Heydt's assessment that "without cultural regeneration, neither economic nor political reform will take root and bear fruit."

Not only is there a need for bridges to be built between those committed to economic and politi-

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cal reform in Russia and the leaders of moral renewal, but von der Heydt's essay also makes clear that there is a need for a major reassessment of U.S. foreign aid currently contributes to the problems.

I still have not forgotten an observation made to me two years ago by a leading Agency for International Development official responsible for assistance to the "Newly Independent States." He said "AID has no interest in educational reform in Russia ... we are only interested in short-term political fixes."

Teaching Russians the techniques of democratic politics and the free market without a serious discussion of the moral and ethical foundations upon which these systems are grounded makes no sense and is a waste of resources. Thoughtful Russians are asking for counsel on the deeper questions of moral and spiritual renewal; many Russian intellectual leaders recognize the moral vacuum left by the collapse of Marxism-Leninism. What are we doing to strengthen them as they attempt to build a "new Russia"?

In Russian higher education, there is an unprecedented openness to reform. There is a strong desire to "humanize" issues. There is also a great interest in character development, which will prepare students to be citizens of a new democratic Russia. The effort, in partnership with Russians, to establish the Russian-American Christian University in Moscow, the first Christian liberal-arts university in Russia's history, is only one sign of the new opportunities that now exist. I hope that we are perceptive enough to understand this as we follow developments in Russia, aided by insightful observers such as von der Heydt.

John A. Bernbaum
Vice President and
Director, Russian Initiative
Christian College Coalition
Washington, D.C.

Right on Reds

Dear Sir;

As a 40-year student of Soviet communism, I certainly agree with Barbara von der Heydt's grim article and her conclusion that "freedom cannot take root without moral reform."

However, I believe that more emphasis should be placed on the chief cause of the spiritual wilderness, namely, the 77-year existence of the communist system imposed on the Russians as well as other nationalities in the former Soviet Union by party-state terrorist control.

It should be stressed that communism was not a product of the "Russian soul," but an international ideology which took over Russia in the 1917 October Revolution. After that time the GULAG, chief administration of concentration camps, was the powerful terrorist weapon of communist morality, which allowed the nomenklatura to do anything necessary to build and spread the communist system in the international arena.

In the Soviet Union alone, about 60 million people lost their lives in the process of building a communist society. Those who have survived have suffered greatly both intellectually and morally, and it will take years for them to recover.

The long existence of the Soviet Union and other communist-controlled states was facilitated, it should be admitted, by the ignorance and cynicism of many Western democratic governments. Not only did they grant diplomatic recognition to communist-controlled states which were not nation-states under international law, but they also subsidized and thus prolonged their life by economic and trade relations and technology transfers. Many experts believe now that without those subsidies the economic collapse of the communist-controlled states would have come much earlier.

The first American president since Herbert Hoover who refused to deal with the Soviet Union as a conventional great power—a mirror-image of the United States—was Ronald Reagan, who called it the "Evil Empire" and attacked its communist morality.

His policy of economic and military pressure was obviously a major cause of Soviet collapse. It was not containment or detente, but Reagan's "peace through strength" policy that facilitated his early intentions to eliminate the communist threat.

Charles T. Baroch
Bethesda, Md.

Bully Pulpit

Dear Sir:

I find the comment by Barbara von der Heydt that the "Russian Orthodox Church is in a poor position to meet the Russian people's spiritual hunger," offensive, arrogant, and more than a little disingenuous. To begin with, does Von der Heydt see anything in the "Christian West" that is better? Does she promote Protestantism and, if so, which one of the thousands of denominations does she suggest? Certainly not the large, "main-line" churches that have embraced abortion, homosexual advocacy, and hosts of other social evils while abandoning virtually all of traditional Christian beliefs.

And what hope is there in "fundamental" Protestantism? For one thing, they would, in total ignorance of the Russian culture and people, try to efface every vestige of Orthodoxy just as surely as did the Communists since they interpret it as being either papist or pagan. Furthermore, most fundamentalist Protestants have little knowledge and less understanding of Christian history prior to the Reformation and tend to see everything in light of that historic event. Yet, as each group dis-

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agrees with its fellows and feels free to go off and start still another "denomination," we see proof that the abiding and binding truth of Christianity does not reside within this religious movement, however sincere the individual believer.

And what about Roman Catholicism? The Catholic Church of Western Europe and the United States is often no better than main-line Protestantism.

While it is true that there are troubles in the Church in Russia, Westerners must remember that Orthodoxy has provided more Christian martyrs in the last 70 years than there had been in the previous two millenia. Bishops, priests, monks, nuns, and lay people died in the tens of millions. And still, the Church survived, her people willing to risk torture, imprisonment, and death to be a part and make their children part of her.

Yes, there are still KGB agents in the Russian Orthodox Church, but Western churches have also been infiltrated and, in many cases, completely overwhelmed by a host of anti-Christian philosophies and personages.

Politically compromised Orthodox priests and bishops constitute far less of a danger than do the Bishop Spongs, Jimmy Swaggarts and Father Foxes in the West. The Orthodox Church, steadfast and unchanged since the 4th century, has needed no Reformation nor does she changes her doctrines to satisfy the "politically correct." She endures despite infiltration and savage persecution, while most of the "churches" in the West have capitulated without a shot being fired or a life being lost in defense of the Faith.

Valerie H. Protopapas
Executive Secretary and
Educational Director
Orthodox Christians for Life
Melville, N.Y.

Bear With It

Dear Sir:

Although we knew that the euphoria many of us experienced when Soviet communism collapsed would not last, we could scarcely brace ourselves sufficiently against the hammerings of ensuing events. Russia's progress out of the abyss is painfully halting, at best. So we find ourselves in a state of emphatic ambivalence, pulled between the poles of despair and hope. Our reservations are encapsulated in Barbara von der Heydt's "Russia's Spiritual Wilderness." Negative comments outweigh positive ones two to one. Yet affirmation prevails by the end, and properly so, I think.

Von der Heydt is of course correct that moral renewal is the *sine qua non* for the political and economic reforms required to make of devastated Russia a normal society.

Policy wonks above all others need to understand that, in a moral vacuum, programmatic proposals are futile. As Michael Novak remarked, "The free society is moral, or not at all." But what do we see in Moscow? Old *apparatchiki* thrive as new businessmen. Power-hungry ideologues of extreme Left and extreme Right combine to throttle reform efforts. Zhirinovsky and company co-opt the beautiful word "patriot." In short, Dostoevsky's *The Devils* remains as prophetic as ever.

What Russia most needs now is to come to terms with its atrocity-riddled past in a spirit of repentance, both personal and national. For a long-Christian nation, the likeliest route to catharsis is religious revival.

That one is underway we do not know from the Western press. Here, too, von der Heydt helps us, with her informative book, *Candles Behind the Wall.* Into the confusion enters Solzhenitsyn, whom von der Heydt shrewdly highlights. Now with his own television program, he is the primary messenger of Russian repentance. As in America for two decades, so in Russia today, we will underestimate his appeal the populace if we listen only to the intellectuals.

Who knows what rough beast slouches toward a Russian Bethlehem to be born? For the lifetimes of our children and grandchildren, this story will be one of great drama and world-historical importance.

Von der Heydt magnificently shows us how to approach our reading of it.

Edward E. Ericson Jr.
Professor of English
Calvin College
Grand Rapids, Mich.

Barbara von der Heydt responds:

Events in Chechnya have illustrated that the crisis in Russia is indeed a moral one which has political consequences. The newborn democracy in Russia may be strangled in its infancy. Russian reformers fear for the future of the country. For example, Duma members Valery Borschov and Gleb Yakunin, who were in Chechnya in January to monitor the invasion, have soundly condemned the action, and are perplexed at the slowness of the West to do the same.

They say the door to freedom in Russia that swung open dramatically in 1991 may be swinging closed already.

It is necessary to act now to encourage the few lights of moral, spiritual and intellectual renewal in Russia which illuminate the darkening landscape. The cells of civil society that have sprung up in Russia need to put down roots and grow. Their success, or lack of it, may well determine what era will follow Yeltsin.

Unfortunately, the kind of change in Russia which is urgently ended, as confirmed by Edward Ericson, cannot be brought about with a "quick fix," the kind sought by AID officers John Bernbaum rightly condemned as short-sighted.

The Russian-American Christian University which Bernbaum is co-

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founding is exactly the kind of long-term investment needed to shape the intellectual and moral climate.

Irwin Weil correctly pointed out that there are a number of efforts underway in Russian education aimed at revitalizing the nation. Aleksander Abramov's project to rewrite the textbooks for the Russian school system to include moral teachings has produced many manuscripts already, but funding is still needed from the West to print the books. The urgency of such a project is evident to anyone who understands the power of ideas.

The conclusions presented in "Russia's Spiritual Wilderness" are those of Russians, many of whom I have known for some years.

The Orthodox cited say there is a need for renewal among their own ranks. The remarks of Valerie Protopapas are evidence of the inability of some Orthodox to acknowledge the truth of Romans 3:23, "All have sinned and fall short of the glory of God." We are all found wanting: that means Protestants, Catholics, and every stripe of believer, including Orthodox. Obviously the Western churches are in a state of need as well. Every church is flawed and in need of forgiveness, as is every person, myself included.

In a presentation in Moscow this past December Zoya Krakhmalnikova, a devout Russian Orthodox author who was jailed in the 1980s for her writings, described three acute ailments of her country: "The hatred that destroyed the soul of Russia," resurgent nationalism, and the "illness of the church which is an absolute catastrophe for our country." She calls for repentance and renewal. Russian Orthodox priest Father Alexander Borisov, in his recently released book *The Fields are Ripe*, takes the church he loves to task. "It's a paradox, but our church had preached not Jesus Christ but more itself, its own regulations, legends, icons, rituals, chanting and so on." Father Alexander has been attacked publicly by elements of the Orthodox Church as a "heretic" for such utterances.

The main issue is not the church, but the character of Russia. Recent events indicate that even democratic-minded reformers may opt for untruth and abuse of force, in the absence of a moral code that prohibits them.

Until the leadership of Russia is willing to acknowledge a power higher than its own, and act accordingly, the country will continue to flounder on the shoals of self-interest, corruption, and chaos.

End of the Line

Dear Sir:

Sadly, Stephen Glass's article "Yes We Kenosha" (Fall 1994) demonstrates the kind of facile grand-standing that so often undermines the credibility of conservative policy positions.

Yes, the "Kenosha miracle," such as it is, has brought stability to the economy of southeastern Wisconsin. Credit must go to local and state officials who worked to bring new businesses into the area; credit must also go to workers who bounced back from what was for many a deep personal loss.

That the complex drama of a community in transition can be reduced by Glass to trite sloganeering—e.g. "Doomsayers Silenced," "A Victory for the Market"—should give pause to serious students of democracy.

Glass would have us believe that because Kenosha prospered in the aftermath of the plant closing, it provides "a testimony to the resiliency of market capitalism."

Yet he tell you nothing of events that led up to the closing, nothing of the new assembly plant AMC was preparing to build in Kenosha, nothing of Chrysler's commitment to produce cars in Kenosha for three to five years after acquiring AMC (the closing came within less than a year), nothing of the betrayal workers felt at the hands of their elected representatives.

Glass praises Governor Tommy Thompson's tax policies, but fails to mention that he actively supported a state-sponsored lawsuit against Chrysler, as did local politicians during their election campaigns.

Quoting me out of context, Glass suggests that I "can't comprehend" why people welcomed the shutdown, yet neglects to say that a major portion of my book, *The End of the Line: Lost Jobs, New Lives in Postindustrial America*, is devoted to understanding this point of view. Kenosha's uneven development—which benefits some, but not others—was achieved at the expense of democratic ideals.

Do the ends justify any means?

Kathryn Marie Dudley
Assistant Professor of
American Studies
Yale University
New Haven, Conn.

Stephen Glass responds:

I welcome Kathryn Marie Dudley's acknowledgement that the "Kenosha Miracle" has brought stability to southeastern Wisconsin's economy. While her 200-page book details the pain of autoworkers and their children in the wake of the plant closing, she neglects to mention the town's post-Chrysler renaissance.

Since the plant closed in December 1988, the unemployment rate has averaged 5.7 percent, less than half the mean of 11.6 percent during the five years preceding the shutdown. Average annual wages have increased nearly $2,000 per person and 33 percent more employers now operate in the Kenosha area. Moreover, housing sales more than doubled, and although homes used to linger on the market for months, they now usually sell within 90 days.

Kenosha is a tribute to low taxes and deregulation; it demonstrates the beauty of American capitalism and the entrepreneurial spirit.

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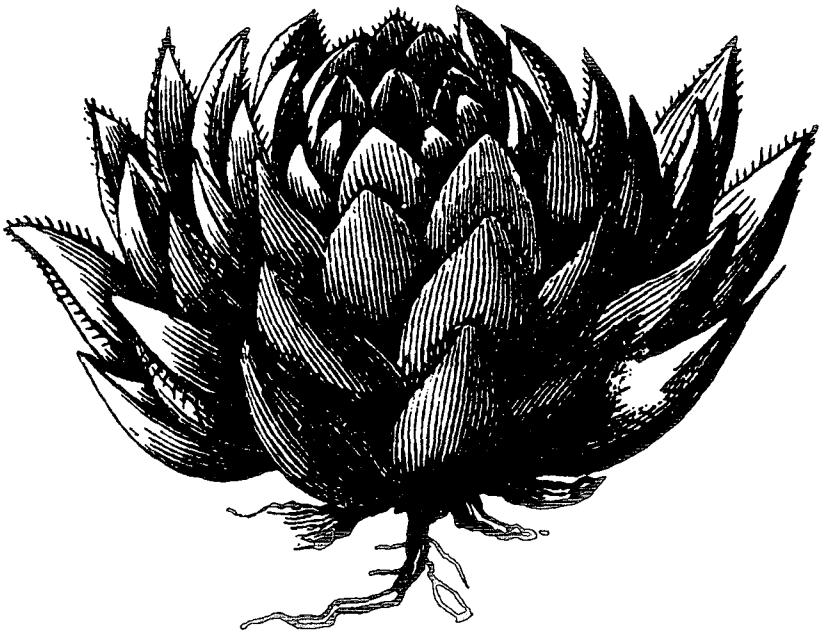
Brain Food.



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policy REVIEW

West 4th Street has developed its share of stars, but this is not the league's true purpose. In an era of commercialized sports, it is important to understand the contributions of a community league composed primarily of players whose glory days are over—25- to 35-year olds with talent and pride, but no N.B.A. contracts. The league and its fans cherish players the media overlook, while putting sports and sportsmanship back into the community. It is midnight basketball in broad daylight and without government handouts.

Wight Martindale Jr.
The Land of the Free Throw:
A New York Basketball League Builds Community

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